

14th Annual Child Support Training Conference

*San Francisco Airport Marriott
September 28 to October 1, 2010*



*For Child Support Commissioners, Family Law Facilitators,
Title IV-D Administrative and Accounting Staff,
Paralegals, and Court Clerks*



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CENTER FOR FAMILIES, CHILDREN
& THE COURTS

Conference CD Usage Instructions
For Attendees of the 14th Annual AB 1058 Child Support Training Conference

The Center for Families, Children & the Courts (CFCC) is pleased to release this conference CD, which serves as an electronic binder of handout materials from the 14th Annual AB 1058 Child Support Training Conference.

To navigate through this CD, please click through the outline of bookmarks that appears to the left of this document. The bookmarks are linked to corresponding pages.

Materials on this CD may not be reproduced for distribution without the express written permission of the author(s). Materials on this CD may be used for personal reference.

When printing materials from this CD, make sure to specify the exact page numbers of the section you want to print. This CD contains almost **400** pages of materials.

The points of view expressed at the conference and in the conference materials are those of the author(s) and presenter(s) and do not necessarily represent the official positions or policies of the Judicial Council of California.

We appreciate your attendance at the 14th Annual AB 1058 Child Support Training Conference. If you have any questions or comments, please contact the editors:

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Table of Contents

Tab A:	New Child Support Commissioners' Orientation
Tab B:	Plenary Session/Welcome and Updates
Tab C:	Hot Topics in Child Support
Tab D:	Roundtables: Child Support Commissioners/Family Law Facilitators/Paralegals/General
Tab E:	New Family Law Facilitators' Orientation
Tab F:	AB 1058 Administration and Accounting
Tab G:	Court Clerks' Training: Fundamentals/Advanced/Court Clerks' Roundtable/UIFSA
Tab H:	Case Law Update
Tab I:	Best Practices/Effective Management of the Court's Child Support Program
Tab J:	Science and Legal Issues in Parentage Testing
Tab K:	Enforcement
Tab L:	UIFSA: Refreshing with Questions/Interjurisdictional Issues of Interest
Tab M:	Income Determination: Beginning/Advanced
Tab N:	DCSS Guideline Calculator Training: Beginning/Advanced
Tab O:	Plenary: "Child Support—New Horizons"
Tab P:	Qualifying Ethics 4 Core Ethics Training
Tab Q:	DCSS Presents: Customer Connect, FIDM, and Medical Support Implementation
Tab R:	The Neuroscience and Psychology of Decision-Making in Child Support
Tab S:	Child Support Guideline Study
Tab T:	Stress Management

TAB A

New Child Support Commissioners' Orientation

Hon. Adam Wertheimer and
Hon. Rebecca L. Wightman

MATERIALS TO BE DISTRIBUTED

TAB B

Plenary Session/Welcome and Updates (AOC, CCMS, and Legislative)

**Hon. Beth L. Freeman, Ms. Diane Nunn,
Mr. Michael L. Wright, Ms. Anna L. Maves,
Ms. Jamie G. Lau, Mr. Robert J. Steiner,
and Ms. Tracy Kenny**

TAB B

Judicial Council/AOC Update

**Mr. Michael L. Wright, Ms. Anna L. Maves,
And Ms. Jamie G. Lau**



Child Support Program Selected Local Practices Survey Results

Michael Wright, AOC Child Support Program Manager

Jamie Lau, AOC Senior Research Analyst

14th Annual AB 1058 Child Support Training Conference

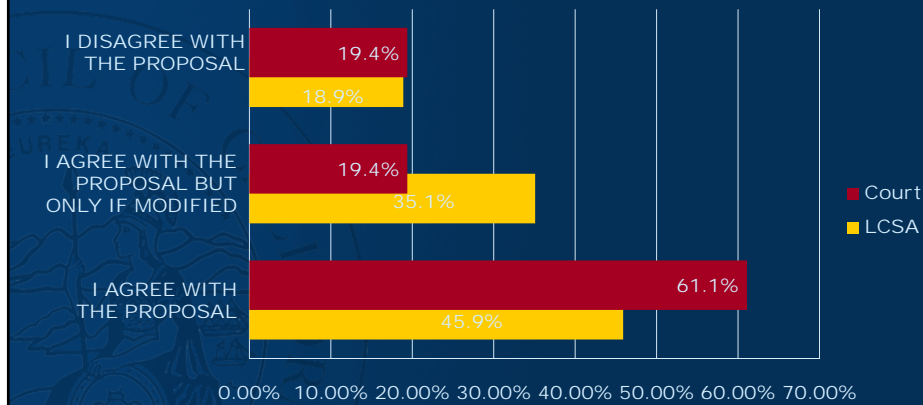
September 29, 2010



VENUE/ELECTRONIC HEARINGS PROPOSAL SURVEY

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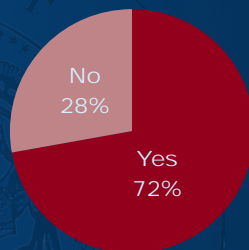
Amend Family Code section 17400(n)



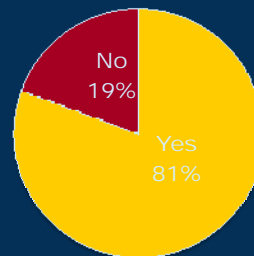
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Accommodations to Litigants to Appear Before Court

Court

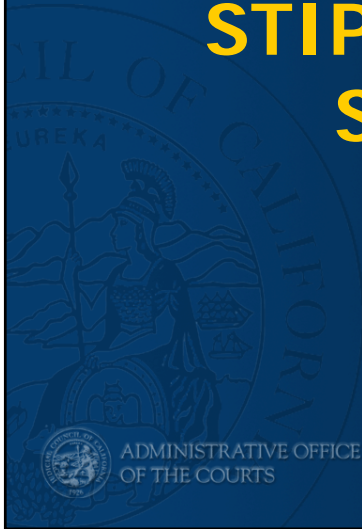


LCSA



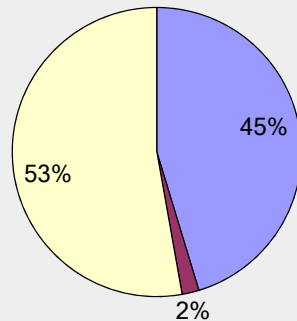
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STIPULATIONS SURVEY



Current Practice – Court Responses

Please check the box that most closely fits
your practice regarding Title IV-D support
cases:

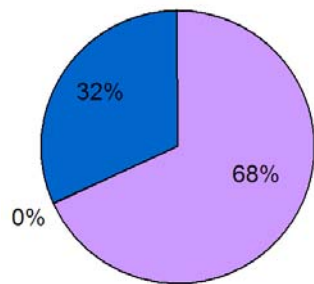


- ☐ I routinely sign all written stipulations presented to me for filing without the need for appearances of the parties.
- ☐ I routinely require the parties to appear before me prior to signing a written stipulation.
- ☐ I occasionally reject written stipulations submitted to me based upon specific identifiable problems.



Current Practice – LCSA Responses

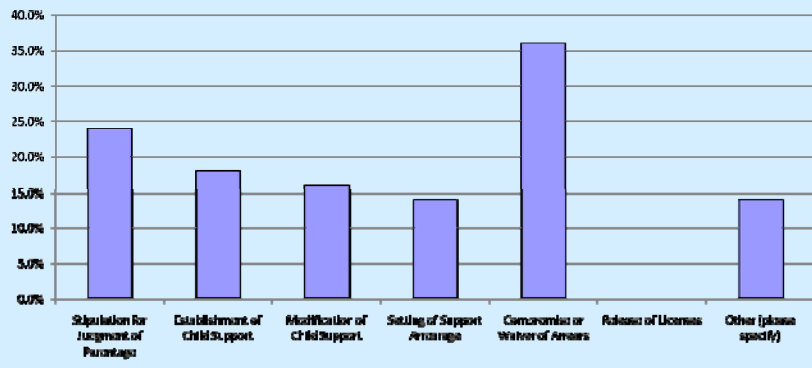
Please select the option that most closely fits your court's practice regarding Title IV-D support cases



- The court routinely signs all written stipulations presented to me for filing without the need for appearances of the parties.
- The court routinely requires the parties to appear before me prior to signing a written stipulation.
- The court occasionally rejects written stipulations submitted by the agency based upon specific identifiable problems.

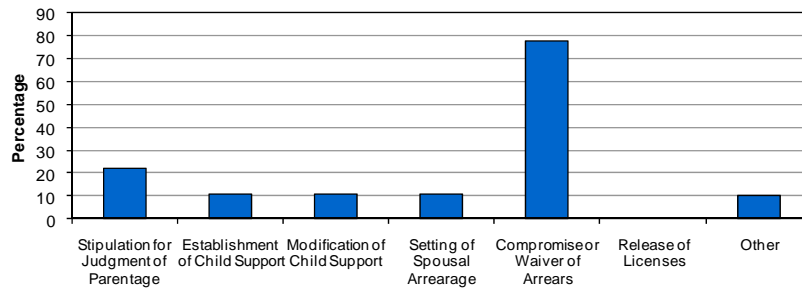
Stipulations Causing the Greatest Concern - Court Responses

Please identify any of the following types of written stipulations that cause you greater concern than others in approving without a court appearance.



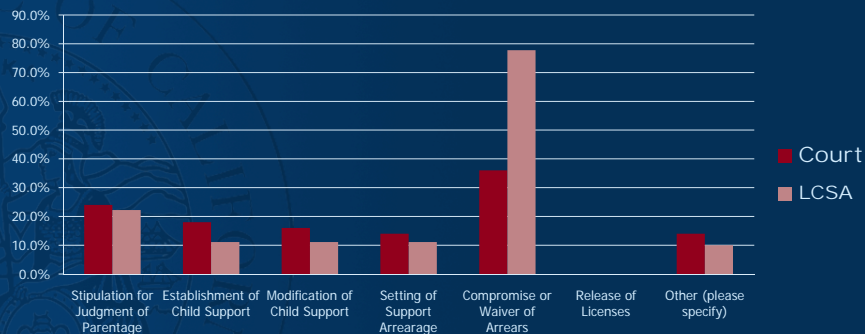
Stipulations Causing the Greatest Concern – LCSA Responses

Please identify any of the following types of written stipulations that cause your court greater concern than others in approving without a court appearance.



Stipulations Causing the Greatest Concern

Please identify any of the following types of written stipulations that cause you greater concern than others in approving without a court appearance.

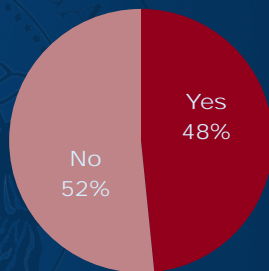


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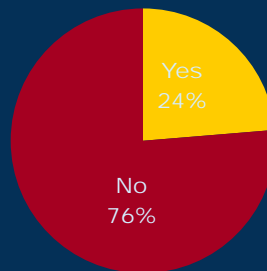
Concerns Discussed at POC Meetings

Have you ever raised concerns regarding written stipulations through your periodic plan of cooperation meetings between the court and agency?

Court Response



LCSA Response



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INTERIM ORDERS SURVEY

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Establishment of Child Support

Does your local child support agency:

Always asks interim child support orders on establishment cases that are being continued.

0.0%

Routinely asks for orders.

34.1%

Rarely asks for interim orders.

51.2%

Never asks for an interim order.

14.6%



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Establishment of Child Support

Why local child support agency does not always ask for interim child support (Check all that apply)

Other

4.9%

Insufficient information/documentation regarding income

80.5%

Custody and/or visitation issues pending

58.5%

Paternity at issue and insufficient evidence to make Interim finding

80.5%

Short continuance

68.3%



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Establishment of Child Support

Does your court:

Always orders interim child support on establishment cases that are being continued.

0.0%

Routinely orders interim child support.

36.6%

Rarely orders interim child support.

46.3%

Never orders interim child support.

17.1%



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Establishment of Child Support

Court/Agency Comparison

Always asks/orders interim child support on establishment cases that are being continued.

0.0%

Routinely asks/ orders for interim child support.

36.6%

34.1%

Rarely asks/orders for interim child support.

46.3%

51.2%

Never asks/orders for an interim child support.

17.1%

14.6%

■ Court

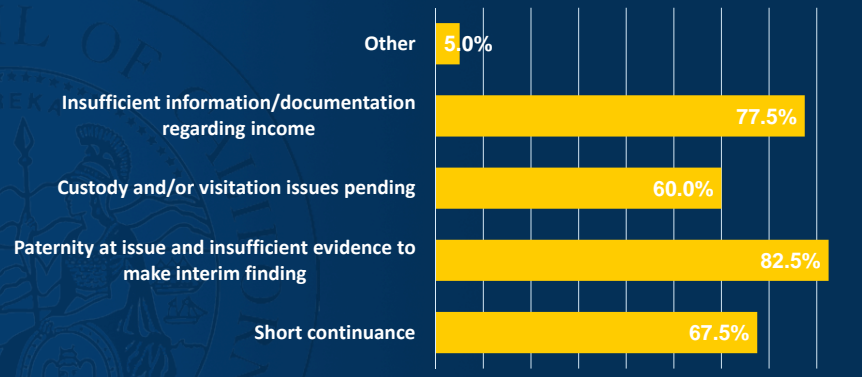
■ Local
Child
Support



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Establishment of Child Support

If your court does not always order interim child support, are there typical circumstances or policy concerns that underlie the decision not to order interim child support? (Check all that apply)



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Establishment of Child Support

Does the court enter an interim child support order even if the agency does not ask for it?

N
O

70.0%

Y
E
S

30.0%



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Modification of Child Support

Court/Agency Comparison

Always asks/orders interim child support orders on modification cases that are being continued.

0.0%

Routinely asks/orders for interim child support.

48.7%

41.0%

Rarely asks/orders for interim child support.

46.2%

46.2%

Never asks/orders for an interim child support.

5.1%

10.3%

■ Court

■ Local Court



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Modification of Child Support

If your local child support agency does not always order interim child support, are there typical circumstances or policy concerns that underlie the decision not to order interim child support? (Check all that apply)

Other

7.7%

Insufficient information/documentation regarding income

87.2%

Custody and/or visitation issues pending

61.5%

Short continuance

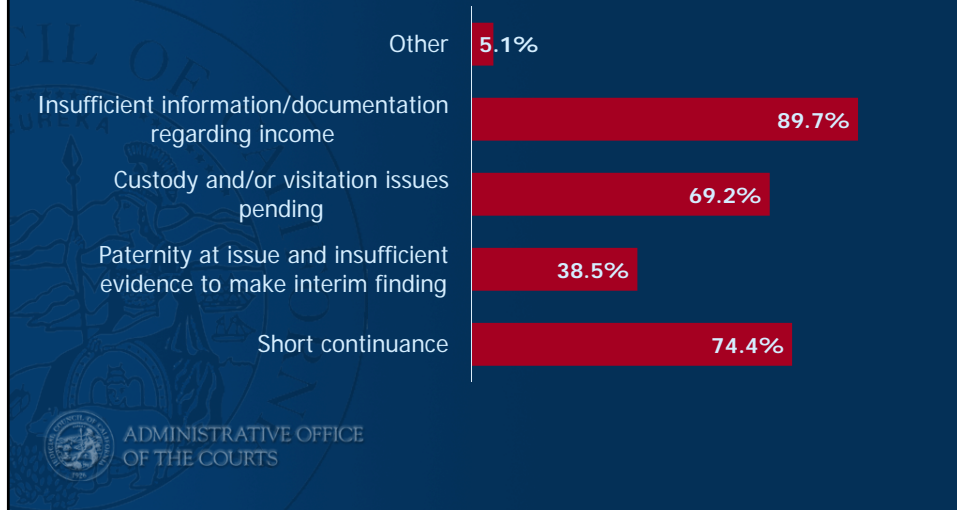
74.4%



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Modification of Child Support

If your court does not always order interim child support, are there typical circumstances or policy concerns that underlie the decision not to order interim child support? (Check all that apply)



Forms Changes Effective January 1, 2011

RUPRO has Recommended the Judicial Council

- Revise FL-480 – *Abstract of Support Judgment*
- Revoke DV-160 – *Child Support Order – Order of Protection (Domestic Violence Protection)*
- Adopt FL-634 – *Notice of Change of Responsibility for Managing Child Support Case*

New FL-634 – *Notice of Change of Responsibility for Managing Child Support Case*

- Developed in Response to New DCSS Policy
- Developed in Consultation with CSDA and DCSS



Purpose of FL-634

- Provide Notice to the Courts and Parties Which LCSA is Managing the Case
- Clarify for the Parties Where Pleadings Must be Filed
- Requires the Notice to be Filed and Served Within 10 Days of Transfer

Revised Federal Income Withholding for Support

- Recently Published by OMB with 30 Day Comment Period
- Requires Employers to Send Payments to SDU
- Instructs Employers to Reject Withholding Order and Return to Sender if Payment not to SDU

Future Forms Cycle

- Senate Bill 580 – Medical Support
- Senate Bill 1355 – Incarcerated or Involuntarily Institutionalized Obligor

Rules Under Consideration

- Rule of Court 5.275 – *Standards for Computer Software to Assist in Determining Support*

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Changes to Increase Cost Efficiencies (Rules of Court and/or Legislation)

- Option Added to Child Support Case Registry Form (FL-191) to Open IV-D Case
- Uniform LCSA Access to Uniform Parentage Act Files
- Statewide Temporary Spousal Support Formula
- Retention of Original Documents signed under penalty of perjury when e-filed (exception for LCSA's for POS and other documents)



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DRAFT

Judicial Council of California . Administrative Office of the Courts

455 Golden Gate Avenue . San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 29, 2010

Title	Agenda Item Type
Child Support: Redundant Child Support Order Form	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Form DV-160	January 1, 2011
Recommended by	Date of Report
Family and Juvenile Law Advisory Committee	September 13, 2010
Hon. Jerilyn L. Borack, Cochair	Contact
Hon. Susan D. Huguenor, Cochair	Anna L. Maves, 916-263-8624 anna.maves@jud.ca.gov

Executive Summary

The Family and Juvenile Law Advisory Committee recommends revoking a rarely used optional domestic violence form that contains a child support order after hearing. Other child support order forms are available for judicial use.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2011, revoke *Child Support Order — Order of Protection (Domestic Violence Protection)* (form DV-160), in favor of other existing “order after hearing” forms.

The proposed revoked form is attached at pages 4–11.

Previous Council Action

The Judicial Council adopted form DV-160 as a new form for optional use effective January 1, 2003. The form was intended to be used as an attachment to *Restraining Order After Hearing (Order of Protection)* (form DV-130) rather than as a standalone form. The optional attachment

could be used in lieu of the *Child Support Information and Order Attachment* (form FL-342), which continues to remain in effect.

Rationale for Recommendation

Form DV-160 was created to allow courts to make child support orders in domestic violence cases at the same time an order of protection was issued. In practice, however, this optional form is rarely used in these instances. Many other family law and governmental child support forms are commonly used by the court when a child support order is made at the same time a restraining order is issued. These forms include *Child Support Information and Order Attachment* (form FL-342); *Order After Hearing (Governmental)* (form FL-687); and *Minutes and Order of Judgment* (form FL-692). Use of form DV-160 may also be confusing to court users: it is an eight-page attachment to the order of protection, which may also contain several other attachments of multiple pages. Many users instead complete the support order by just adding a few sentences to the “other orders” item on DV-130.

Administrative Office of the Courts staff conducted a survey to determine how frequently form DV-160 is used. Family law facilitators, child support commissioners, court staff, and nonprofit organizations indicated that they rarely use the form. Most responders stated that the form is not particularly useful since form FL-342 can be used for the order after hearing when support is ordered. Of the 59 responses received, 80 percent of respondents indicated that continued use of the form had no benefit. Nearly all of the 20 percent who saw some benefit to retaining the form acknowledged that in actual practice they “never” or “rarely” see the form.

The revocation of this form would have no effect on a court’s authority to make a child support order at the same time it issues a restraining order.

Comments, Alternatives Considered, and Policy Implications

Comments

The invitation to comment on the proposal was circulated from April 19, 2010, through June 18, 2010, to the standard mailing list for family and juvenile law proposals, as well as to the regular rules and forms mailing list. The distribution lists include judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals. In addition, the proposal was sent to child support commissioners, family law facilitators, court clerks, the California Department of Child Support Services and Child Support Directors Association forms committee, and title IV-D program directors.

The committee received eight written comments. Of these, seven were in agreement with the proposal and one disagreed. The committee reviewed and analyzed the comments. A chart summarizing the comments received and the committee’s responses is attached at pages 12 and 13.

One commentator who agreed with the proposal pointed out that reference to DV-160 is made in *Restraining Order After Hearing (Order of Protection)* (DV-130) at item 10. Item 10 is used when a child support order is made at the same time an order of protection is issued. This item also provides space and an instruction to specify a form other than DV-160. It is clear that the reference to DV-160 needs to be removed on DV-130. DV-130 will be comprehensively reviewed to ensure that it adequately addresses child support orders made with orders of protection. Because DV-130 has not gone out for comment, the suggested change cannot be made at this time. This comment will be retained and the reference to DV-160 will be removed in a future forms cycle.

The commentator who objected to the revocation of DV-160 noted that because of the trauma accompanying domestic violence, this form should still be available for use. There is no dispute that domestic violence is traumatic and that domestic violence forms should be readily available for use. However, in reality, this optional form, which was intended only to be an attachment, is rarely used. Persons requesting a restraining order are overwhelmed by the size of this form. The revocation of this form would not restrict or impede a victim of domestic violence from requesting or obtaining a child support order at the same time a restraining order is issued.

Implementation Requirements, Costs, and Operational Impacts

The committee is not aware of any implementation requirements, costs, or operational impacts affecting the local courts arising out of the revocation of the form.

Attachments

1. Form DV-160, at pages 4–11
2. Chart of Comments, at pages 12–13

☒ This form is attached to DV-130, Item 10.

- ① Protected person's name: _____ ☐ Mother ☐ Father ☐ _____
- ② Restrained person's name: _____ ☐ Mother ☐ Father ☐ _____

The court used the information below to calculate child support.

- ③ ☐ A printout of a computer calculation is attached. (Skip this question if the printout is attached, and do not complete ④ or ⑥.)

- ④ ☐ Monthly income

	Gross income	Net income	Capable of earning	TANF/CalWORKS
Person listed in ①	\$ _____	\$ _____	\$ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
Person listed in ②	\$ _____	\$ _____	\$ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No

- ⑤ ☐ Children of parents listed in ① and ②:

a. Number of children covered by this order: _____

b. Those children spend _____ % of time with person in ① and _____ % with person in ②

- ⑥ ☐ Hardships considered by the court:

Person in ① Person in ② Explain or attach explanation

- a. ☐ Support for other minor children in the home \$ _____ \$ _____
- b. ☐ Extraordinary medical expenses \$ _____ \$ _____
- c. ☐ Catastrophic losses \$ _____ \$ _____
- d. ☐ Other (specify): _____

- ⑦ ☐ Total guideline calculation for all children (not including additional support) is \$ _____

- ⑧ ☐ Non Guideline Order is appropriate instead of the guideline calculation in ⑦. This order is different from the statewide child support guideline set forth in Family Code section 4055.

- ⑨ ☐ Other findings: _____

The Court Orders:

- ⑩ ☐ Low-Income Adjustment

a. ☐ The low-income adjustment applies.

b. ☐ The low-income adjustment does not apply because (specify reasons): _____

This is a Court Order.

Your name: _____

- 11** ☐ A **Non-Guideline Order** of \$ _____ per month is ordered instead of the guideline calculation in **7**.
This order does not meet the child support guideline set forth in Family Code section 4055.
Form FL-342(A) (Non-Guideline Child Support Findings Attachment) is attached.

12 ☐ **Basic child support**a. ☐ Person in **1** ☐ Person in **2** will pay child support for:

Child's name	Date of birth	Monthly amount	Payable to:
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____

b. ☐ Additional children are listed on a separate page.

c. Starting (date): _____ support must be paid to:

- ☐ person in **1** ☐ person in **2** ☐ local child support agency ☐ Other: _____
- ☐ By the 1st of each month
- ☐ 50% on the 1st and 50% on the 15th of each month
- ☐ By earnings assignment order (order to withhold income)
- ☐ Other (specify): _____

13 ☐ **Additional child support**

(Write the specific amount. If the specific amount is not available, enter a percentage. The local child support agency can collect only fixed dollar amounts, not percentages.)

a. **Costs**Person listed in **1** Person listed in **2** Other arrangements:

<input type="checkbox"/> Child-care expenses	\$ _____ or _____ %	\$ _____ or _____ %	_____
<input type="checkbox"/> Children's uninsured health-care expenses	\$ _____ or _____ %	\$ _____ or _____ %	_____
<input type="checkbox"/> Children's educational/other special needs	\$ _____ or _____ %	\$ _____ or _____ %	_____
<input type="checkbox"/> Travel expenses for visitation	\$ _____ or _____ %	\$ _____ or _____ %	_____
<input type="checkbox"/> Other (specify): _____	\$ _____ or _____ %	\$ _____ or _____ %	_____

b. Starting (date): _____ these support payments must be paid to:

- ☐ person in **1** ☐ person in **2** ☐ local child support agency ☐ Other: _____
- ☐ By the 1st of each month
- ☐ 50% on the 1st and 50% on the 15th of each month
- ☐ By earnings assignment order (order to withhold income)
- ☐ Other (specify): _____

☐ All payments to the local child support agency must be made to:**This is a Court Order.**

Your name: _____

- 14** ☐ **Total Child Support Order**
- a. Total basic child support is \$ _____/month.
- b. Total additional child support is \$ _____/month (and/or the percentages listed in **13**).
- c. **Total Child Support Order**
(basic and additional child support) is \$ _____/month, payable as listed in **12** and **13**.

Notice:

If you are late in paying child support, interest on overdue amounts will add up at the legal rate, which is currently 10% per year.

This support order will continue until:

- There is a different court order *or*
- The child marries, dies, turns 19, or is emancipated *or*
- The child turns 18 and is not a full-time high school student.

- 15** ☐ **Health-care expenses**
- a. ☐ Person in **1** ☐ Person in **2** will provide and keep health insurance for the children if it is available at no or reasonable cost through work or a group plan, including group plans available through self-employment. Both parents will cooperate to complete health-care claims as stated on **page 5** (Notice of Rights and Responsibilities: Health-Care Costs and Reimbursement Procedures). Parents may have peaceful written contact with each other in order to complete insurance claims.
- b. ☐ No health insurance is available to ☐ person in **1** ☐ person in **2** at a reasonable cost now.
- c. ☐ The parent with insurance will give the right of reimbursement to the other parent.
- d. ☐ Other (*specify*): _____

- 16** ☐ **Earnings Assignment Order (Order to Withhold Income)**
- a. ☐ A form **FL-195/OMB No. 0970-0154 Income Withholding for Support**, will be issued.
Note: The parent paying child support must pay support to the other parent until support payments are deducted from the paying parent's wages, and must pay any support owed that is not covered by the earnings assignment.
- b. ☐ If the parent paying support is more than _____ days late in making a payment, the earnings assignment order will be served.
- c. ☐ There will be a **Qualified Medical Child Support Order** payable to:
☐ person in **1** ☐ person in **2**

- 17** ☐ **Employment Search Order**
- ☐ Person in **1** ☐ Person in **2** is ordered to seek employment ☐ as stated in the attachment
- ☐ as follows: _____
- _____
- _____

- 18** ☐ **Other orders**
- _____
- _____
- _____

This is a Court Order.

Case Number:

Your name: _____

- 19 These **required attachments** are attached and are a part of this order:
Notice of Rights and Responsibilities: Health-Care Costs and Reimbursement Procedures (pages 5 and 6)
Information Sheet on Changing a Child Support Order (pages 7 and 8)

20 **Notice Regarding Child Support Case Registry**

If there is a case open in the local child support agency, the parents must notify the local child support agency in writing within 10 days of any change in residence or employment.

If there is no open case in the local child support agency, both parties must complete and file with the court form FL-191, *Child Support Case Registry Form*, within 10 days of the date of this order. Thereafter, the parties must notify the court of any change in the information submitted within 10 days of the change by filing an updated form.

This is a Court Order.

If you have a child support order that includes a provision for the reimbursement of a portion of the child's or children's health-care costs and those costs are not paid by insurance, the law says:

1. Notice. You must give the other parent an itemized statement of the charges that have been billed for any health-care costs not paid by insurance. You must give this statement to the other parent within a reasonable time, but no more than 30 days after those costs were given to you.

2. Proof of full payment. If you have already paid all of the uninsured costs, you must (1) give the other parent proof that you paid them and (2) ask for reimbursement for the other parent's court-ordered share of those costs.

3. Proof of partial payment. If you have paid only your share of the uninsured costs, you must (1) give the other parent proof that you have paid your share, (2) ask that the other parent pay his or her share of the costs directly to the health-care provider, and (3) give the other parent the information necessary for that parent to be able to pay the bill.

4. Payment by notified parent. If you receive notice from a parent that an uninsured health-care cost has been incurred, you must pay your share of that cost within the time the court orders; or if the court has not specified a period of time, you must make payment either (1) within 30 days from the time you were given notice of the amount due, (2) according to any payment schedule set by the health-care provider, (3) according to a schedule agreed to in writing by you and the other parent, or (4) according to a schedule adopted by the court.

5. Disputed charges. If you dispute a charge, you may file a motion in court to resolve the dispute, but only if you pay that charge before filing your motion. If you claim that the other party has failed to

reimburse you for a payment, or the other party has failed to make a payment to the provider after proper notice has been given, you may file a motion in court to resolve the dispute. The court will presume that if uninsured costs have been paid, those costs were reasonable. The court may award attorney fees and costs against a party who has been unreasonable.

6. Court-ordered insurance coverage. If a parent provides health-care insurance as ordered by the court, that insurance must be used at all times to the extent that it is available for health-care costs.

a. Burden to prove. The party claiming that the coverage is inadequate to meet the child's needs has the burden of proving that to the court.

b. Cost of additional coverage. If a parent purchases health-care insurance in addition to that ordered by the court, that parent must pay all the costs of the additional coverage. In addition, if a parent uses alternative coverage that costs more than the coverage provided by court order, that parent must pay the difference.

7. Preferred health-care providers. If the court-ordered coverage designates a preferred health-care provider, that provider must be used at all times, consistent with the terms of the health insurance policy. When any party uses a health-care provider other than the preferred provider, any health-care costs that would have been paid by the preferred health-care provider if that provider had been used will be the sole responsibility of the party incurring those costs.

Si usted tiene una orden de manutención de menores que disponga la devolución de costos incurridos por servicios de salud para menores y costos no cubiertos por el seguro médico, la ley dice lo siguiente:

1. Aviso. Se debe dar al otro padre una factura detallada relacionando los costos cobrados por servicios de salud que no estén cubiertos por seguro médico. Esta factura se le debe dar al otro padre con antelación razonable y no más tarde de 30 días después de haber recibido dichos cobros de pago.

2. Comprobante de pago total. Si usted ya pagó todos los costos de salud correspondientes a individuos no asegurados, deberá: (1) proporcionar al otro padre el comprobante de haber pagado y (2) pedirle al otro padre que le pague la porción de los costos que al otro padre le corresponda, según la orden del tribunal.

3. Comprobante de pago parcial. Si sólo pagó su porción de los costos no cubiertos por el seguro, debe: (1) darle al otro padre un comprobante indicando que ya pagó dicha porción, (2) pedir al otro padre que pague directamente al proveedor de servicios médicos la parte de los costos que al otro padre le corresponda y (3) darle al otro padre la información necesaria para que pague la factura.

4. Pago que le corresponde al padre notificado. Si usted recibe notificación del otro padre indicando costos incurridos por servicios de salud para individuos sin seguro, deberá pagar la porción que le corresponde a usted dentro del plazo ordenado por el tribunal, o si el tribunal no especifica un plazo, usted deberá pagar dichos costos, ya sea, (1) a más tardar en 30 días, desde la fecha en que recibió la notificación sobre los costos por pagar, (2) según un horario de pagos fijado por el proveedor de servicios de salud, (3) según un horario acordado por escrito entre usted y el otro padre o (4) según el horario adoptado por el tribunal.

5. Cuando se disputan los costos. Si usted disputa un costo, puede presentar al tribunal una moción (pedimento) para resolver la disputa. Sólo podrá hacer esto, si paga el costo antes de presentar la moción.

Si su reclamo consiste en que la otra parte no le ha pagado a usted por un costo, o que no le ha pagado al proveedor de servicios de salud después de la notificación apropiada, usted puede presentar una moción ante el tribunal para resolver la disputa. El tribunal asumirá que si los costos ya se han pagado, dichos costos han sido razonables. Si una persona se comporta de una manera que no sea razonable, el tribunal puede imponerle que pague honorarios de abogado.

6. Cobertura de seguro por orden de tribunal. Si un padre tiene seguro de salud por orden del tribunal, ese seguro se usará todo el tiempo, siempre que esté disponible para cubrir los costos de servicios de salud.

7. Responsabilidad de comprobar. La responsabilidad de comprobar ante el tribunal que la cobertura de servicios de salud es inadecuada para los menores recae sobre la parte que reclama que es inadecuada.

8. Costos de cobertura adicional. Si uno de los padres compra un seguro de salud adicional al que haya sido ordenado por el tribunal, tal padre deberá pagar todo el costo de la cobertura adicional. Y si uno de los padres usa una manera alterna para cubrir gastos médicos que cuestan más que la cobertura dispuesta por el tribunal, dicho padre tendrá que pagar la diferencia.

9. Proveedor preferido para servicios de salud. Si la orden del tribunal especifica un proveedor preferido para servicios de salud, dicho proveedor deberá usarse siempre, según los términos de la póliza del seguro de salud. Si una de las partes decide usar un proveedor que no sea el preferido e incurre costos que podrían haber sido cubiertos por el proveedor preferido si se hubieran utilizado sus servicios, dicha parte asumirá la responsabilidad de cubrir los costos incurridos.

General information. The court has just made a child support order in your case. This order will remain the same unless a party to the action requests that the support be changed (modified). An order for child support can be modified only by filing a motion to change child support and serving each party involved in your case. If both parents and the local child support agency (if it is involved) agree on a new child support amount, you can complete, have all parties sign, and file with the court a *Stipulation to Establish or Modify Child Support and Order* (form FL-350) or *Stipulation and Order (Governmental)* (form FL-625).

When a child support order may be modified. The court takes several things into account when ordering the payment of child support. First, the number of children is considered. Next, the net incomes of both parents are determined, along with the percentage of time each parent has physical custody of the children. The court considers both parties' tax filing status and may consider hardships, such as a child of another relationship. An existing order for child support may be modified when the net income of one of the parents changes significantly, the parenting schedule changes significantly, or a new child is born.

Examples

- You have been ordered to pay \$500 per month in child support. You lose your job. You will continue to owe \$500 per month, plus 10 percent interest on any unpaid support, unless you file a motion to modify your child support to a lower amount and the court orders a reduction.
- You are currently receiving \$300 per month in child support from the other parent, whose net income has just increased substantially. You will continue to receive \$300 per month unless you file a motion to modify your child support to a higher amount and the court orders an increase.
- You are paying child support based upon having physical custody of your children 30 percent of the time. After several months it turns out that you actually have physical custody of the children 50 percent of the time. You may file a motion to modify child support to a lower amount.

How to Change a Child Support Order

To change a child support order, you must file papers with the court. *Remember:* You must follow the order you have now.

What forms do I need?

If you are asking the court to change a child support order open with the local child support agency, you must fill out one of these forms:

- FL-680, *Notice of Motion (Governmental)* or FL-683 *Order to Show Cause (Governmental)* and
- FL-682, *Request for Order and Supporting Declaration (Governmental)*

If you are asking the court to change a child support order that is **not** open with the local child support agency, you must fill out one of these forms:

- FL-301, *Notice of Motion* or FL-300, *Order to Show Cause* and
- FL-310, *Application for Order and Supporting Declaration* or
- FL-390, *Notice of Motion and Motion for Simplified Modification of Order for Child, Spousal, or Family Support*

You must also fill out one of these forms:

- FL-150, *Income and Expense Declaration* or FL-155, *Financial Statement (Simplified)*

What if I am not sure which forms to fill out?

Talk to the family law facilitator at your court.

After you fill out the forms file them with the court clerk and ask for a hearing date. Write the hearing date on the form.

The clerk will ask you to pay a filing fee. If you cannot afford the fee, fill out these forms too:

- Form FW-001, *Application for Waiver of Court Fees and Costs*
- Form FW-002, *Order on Application for Waiver of Court Fees and costs*

You must serve the other parent. If the local child support agency is involved, serve it too.

This means someone 18 or over—**not you**—must serve the other parent copies of your filed court forms at least **16 court days** before the hearing. Add **5 calendar days** if you serve by mail within California (see Code of Civil Procedure section 1005 for other situations). **Court days** are weekdays when the court is open for business (Monday through Friday except court holidays). **Calendar days** include all days of the month, including weekends and holidays. To determine court and calendar days, go to www.courtinfo.ca.gov/selfhelp/courtcalendars/.

The server must also serve blank copies of these forms:

- FL-320, *Responsive Declaration to Order to Show Cause or Notice of Motion* and FL-150, *Income and Expense Declaration*, or
- FL-155, *Financial Statement (Simplified)*

Then the server fills out and signs a *Proof of Service* (form FL-330 or FL-335). Take this form to the clerk and file it.

Go to your hearing and ask the judge to change the support. Bring your tax returns from the last two years and your last two months' pay stubs. The judge will look at your information, listen to both parents, and make an order. After the hearing, fill out:

- FL-340, *Findings and Order After Hearing* and
- FL-342, *Child Support Information and Order Attachment*

Need help?

Contact the family law facilitator in your county or call your county's bar association and ask for an experienced family lawyer.

Información general

El tribunal acaba de dar una orden judicial sobre manutención de menores en esta causa. Esta orden permanecerá en efecto, a menos que alguna de las partes de la causa pida que se modifique. Sólo se puede modificar una orden de manutención de menores si se presenta ante el tribunal una moción (o pedimento) de modificación de manutención y si se da una copia de dicha moción a las partes interesadas en la causa. Si ambos padres llegan a un común acuerdo sobre una suma y si la agencia local que vigila la manutención de menores también acepta el acuerdo (si dicha agencia participa), se puede llenar y hacer que cada una de las partes firme una *Estipulación para Establecer o Modificar una Orden de Manutención de Menores* (formulario FL-350) o llenar y hacer que cada una de las partes firme una *Estipulación y Orden (Documento gubernamental)* (formulario FL-625).

¿Cuándo se puede modificar una orden de manutención de menores?

El juez toma varios factores en consideración cuando emite una orden judicial sobre el pago de manutención de menores. Primero, considera, el número de hijos. Luego, determina los ingresos de ambos padres y el porcentaje del tiempo que cada padre asume la custodia física de los hijos. El tribunal estudia el estado tributario (pago de impuestos) de ambas partes y puede tener en cuenta factores de dificultad económica, tales como la existencia de hijos de otra relación. Se puede modificar la orden de manutención de menores si ocurre un cambio considerable en los ingresos netos de uno de los padres, un cambio considerable en el tiempo que los menores pasan con cada uno de los padres, o cuando nace un nuevo hijo.

Ejemplos:

Si a usted se le ha ordenado pagar \$500 mensuales de manutención de menores y luego pierde su empleo, continuará debiendo \$500 mensuales. Además usted deberá el 10% de intereses de la suma de manutención adeudada, a menos que presente una moción pidiendo que se modifique y se reduzca la suma de manutención y que el tribunal ordene dicha reducción.

Si usted está recibiendo \$300 mensuales por manutención de menores provenientes del otro padre y los ingresos de ese padre aumentan considerablemente, usted continuará recibiendo \$300 mensuales a menos que usted presente una moción para modificar la orden y que el tribunal ordene el aumento de la suma de manutención de menores.

Si paga manutención de menores basándose en que pasa un 30% de tiempo asumiendo la custodia parcial de sus hijos y después de varios meses, resulta que en efecto pasa el 50% del tiempo a cargo de la custodia física de sus hijos, en dado caso, podrá presentar una moción pidiendo que se reduzca la suma de manutención.

Cómo modificar una orden existente de manutención de hijos menores

Para modificar una orden de manutención de hijos menores usted debe presentar documentos ante el tribunal. Recuerde: Usted tiene la obligación de cumplir la orden judicial existente.

¿Qué formularios necesita?

Si está pidiendo que el tribunal modifique una orden de manutención cuyo caso está abierto en la agencia local que vigila la manutención de menores, deberá llenar los siguientes formularios:

- FL-680 Aviso de petición (Gubernamental) o FL-683 Orden de motivos justificativos (Gubernamental) y
- FL-684 Solicitud de orden y declaración de respaldo

Si está pidiendo que el tribunal modifique una orden de manutención cuyo caso no está abierto en la agencia local que vigila la manutención de menores, deberá llenar los siguientes formularios:

- FL-301 Aviso de petición o FL-300 Orden de motivos justificativos y
- FL-310 Solicitud para una orden y declaración de respaldo, Derecho de familia -Paternidad uniforme) o
- FL-390 Aviso de petición y petición simplificada de modificación de orden de manutención de hijos menores, de cónyuges de familia

También deberá llenar uno de los siguientes formularios:

- FL-150 Declaración de ingresos y gastos o FL-155 Declaración sobre finanzas (Simplificada)

¿Qué puedo hacer si no sé qué formulario llenar?

Hable con el asesor legal del tribunal de familia.

Después de llenar los formularios, radíquelos en el tribunal y pida una audiencia ante el tribunal. Escuya la fecha de su audiencia en su formulario. En la secretaría le pedirán que pague la cuota de radicación. Si no tiene los medios para pagar la cuota, llene también los siguientes formularios:

- Formulario 982(a)(17) Solicitud de exención de cuotas y costos judiciales
- Formulario 982(a)(18) Orden de exoneración de cuotas y costos judiciales

Usted tiene que hacer la "entrega legal" de los formularios de modificación al otro padre. Si la agencia local que vigila la manutención de hijos menores participa en la causa, entregue también los documentos a esa agencia.

Esto significa que una persona de no menos de 18 años (y que no sea usted mismo) debe entregar copias de los formularios por lo menos 16 días hábiles del tribunal antes de la audiencia. Se deben añadir 5 días calendarios más si la entrega se hace por correo postal dentro de California (véase Código Civil de Procedimientos, sección 1005 para ver otras situaciones). Los días hábiles del tribunal son los días cuando el tribunal está funcionando, de lunes a viernes, exceptuando los días feriados. Los días calendarios son todos los días de la semana, incluyendo los fines de semana y los días feriados. Para obtener mayor información, visite: www.courtinfo.ca.gov/selfhelp/courtcalendars

La persona que haga entrega de la copia de los documentos deberá entregar copias de los siguientes formularios:

- FL-320 Declaración de respuesta y FL-150 Declaración de ingresos y gastos, o
- FL-155 Declaración de finanzas (Simplificada)

La persona que hace la entrega entonces llena y firma el comprobante de entrega (formularios FL-330 o FL-335). Luego, usted lleva este documento a la secretaría del tribunal para radicarlo.

Vaya a su audiencia ante el tribunal y pida al juez que modifique la manutención. Lleve consigo sus formularios más recientes de declaración de impuestos federales de los últimos dos años y sus talones de pago de los últimos dos meses. El juez estudiará la información presentada, escuchará a ambos padres y emitirá una orden. Después de la audiencia usted debe llenar los formularios:

- FL-340 Conclusiones y orden después de la audiencia y
- FL-342 Documento adjunto con información sobre manutención de menores y orden judicial.

¿Necesita ayuda?

Consulte con el Asesor Legal del Tribunal de Familia de su condado o llame al colegio de abogados de su condado y pida un abogado con experiencia en el tribunal de familia.

SPR10-26**Child Support: Redundant Child Support Order Form** (revoke form DV-160)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
1.	California Family Law Cheryle Lynn Perez	N	Because a woman, distraught with being abused, may not get any farther than DV documents for quite a long time, what DV documents include is very important. I know about this because I've been there. You're so traumatized you can barely get to the courthouse. I have collapsed in court, and I'm well known for mental emotional strength. I collapsed because the court ordered me to force my frightened children into my ex's car for visitation. They hated ME for doing it. They could not understand, they thought I did not care about them.	There is no dispute that domestic violence is traumatic and that domestic violence forms should be readily available for use. However, based on a survey conducted by Administrative Office of the Courts staff, this optional form is rarely used as an attachment to DV-130. The size of the form tends to be overwhelming. Most people requesting child support when a restraining order is issued add the order language to the "other" section or use a readily available, shorter family law form.
2.	Child Support Directors Association George O. Nielsen Vice-Chair	A		No response necessary.
3.	Hon. Christine Copeland Child Support Commissioner Superior Court of San Benito County	A		No response necessary.
4.	Susan Groves Family Law Facilitator Superior Court of San Diego County	A		No response necessary.
5.	Harriett Buhai Center for Family Law Erin Dabbs Staff Attorney	AM	We support the court's decision to simplify the child support order form for domestic violence restraining orders. The current form is much longer than the related family law forms. However, we do use the current form in our practice and think it may be important to have a domestic violence protection-specific form for child support. Other attachments to the domestic violence restraining order have counterparts in Judicial Council family law forms. Custody and visitation and supervised	Thank you for your comment. Item 10 on DV-130 is to be used when child support is ordered as part of an order of protection. This item references DV-160 as an attachment for child support orders but also provides instruction and space to specify a different form attachment containing the child support order. Based on a survey conducted by Administrative Office of the Courts staff, it is a common practice for a different child support attachment form, such as FL-342, to be used when the court makes a child support order at the time

SPR10-26**Child Support: Redundant Child Support Order Form (revoke form DV-160)**

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			<p>visitation orders can be found both in the general family law forms (FL-341 and FL-341A) and in the domestic violence protection context (DV-140 and DV-150). However, there is a purpose in keeping all of the DVPA forms consistent, which is why the Judicial Council created these additional forms. Keeping all the DVPA forms in the same category, and resembling each other may help pro per litigants access the correct forms.</p> <p>We also recommend that if the Judicial Council decides to revoke DV-160, that it concurrently modify the Restraining Order After Hearing (DV-130, "ROAH") to reference the appropriate child support information and order attachment form. Currently, page 2, item 10 of the ROAH references the DV-160 child support form. We are concerned that without this concurrent change, there could be some enforcement problems, or judicial officers may be hesitant to enter a ROAH with a different attachment because the form calls for the DV-160 on its face.</p>	that an order of protection is issued. No enforcement problems were identified in the survey regarding use of an attachment other than DV-160. This comment will be retained, and the reference to DV-160 will be removed from DV-130 in a future revision cycle.
6.	Orange County Bar Association Lei Lei Wang Ekvall President	A		No response necessary.
7.	Superior Court of Los Angeles County	A		No response necessary.
8.	Superior Court of San Diego County Michael M. Roddy Court Executive Officer	A		No response necessary.



DRAFT

Judicial Council of California . Administrative Office of the Courts

455 Golden Gate Avenue . San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 29, 2010

Title	Agenda Item Type
Child Support: Protection of Obligor's Social Security Number	Action Required
	Effective Date
Rules, Forms, Standards, or Statutes Affected	January 1, 2011
Form FL-480	
	Date of Report
Recommended by	September 13, 2010
Family and Juvenile Law Advisory Committee	
Hon. Jerilyn L. Borack, Cochair	Contact
Hon. Susan D. Huguenor, Cochair	Anna L. Maves, 916- 263-8624
	anna.maves@jud.ca.gov

Executive Summary

The Family and Juvenile Law Advisory Committee recommends revising form FL-480, *Abstract of Support Judgment*, to implement the provisions of Senate Bill 40 (Stats. 2009, ch. 552). SB 40 requires that an abstract of judgment ordering a party to pay support contain only the last four digits of the judgment debtor's social security number.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2011, revise form FL-480, *Abstract of Support Judgment*, to ensure that the persons completing the form comply with the requirements of Senate Bill 40 (Stats. 2009, ch. 552).

The proposed revised form is attached at page 3.

Previous Council Action

On January 1, 1987, the Judicial Council approved FL-480, *Abstract of Support Judgment*, previously rule 1285.80, to implement legislation amending Code of Civil Procedure section

697.320 to permit the creation of a lien by filing an abstract of a support judgment in lieu of a certified copy of the judgment.

Rationale for Recommendation

SB 40 amended Family Code section 4506(a)(6), which previously required that an abstract of judgment ordering a party to pay spousal, child, or family support contain the social security number of the party ordered to pay. SB 40 provides that only the last four digits of the social security number of the judgment debtor should be listed. Item 1c of form FL-480, *Abstract of Support Judgment*, provides a space for the judgment debtor's social security number. The item would be revised to instruct users to provide only the last four digits.

Comments, Alternatives Considered, and Policy Implications

Comments

The invitation to comment on the proposal was circulated from April 19, 2010, through June 18, 2010, to the standard mailing list for family and juvenile law proposals, as well as to the regular rules and forms mailing list. This distribution list includes judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals. In addition, this proposal was sent to child support commissioners, family law facilitators, court clerks, the California Department of Child Support Services and Child Support Directors Association forms committee, and title IV-D program directors.

The committee received five written responses, all of which expressed agreement without further comment. A chart listing the comments is attached at page 4.

Alternatives Considered

Because legislation does not allow more than the last four digits of the social security number to be included on the abstract of judgment effective January 1, 2010, the Family and Juvenile Law Advisory Committee rejected the option of taking no action. (Fam. Code, §4506(a)(6)).

Implementation Requirements, Costs, and Operational Impacts

The committee is not aware of any implementation requirements, costs, or operational impacts affecting the local courts that will result from approval of the proposed form. This form is not produced by the courts.

Attachments

1. Form FL-480, at page 3
2. Chart of Comments, at page 4
3. Attachment A: SB 40 (Stats. 2009, ch. 552)

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and address): <input type="checkbox"/> Recording requested by and return to:</p> <p>TELEPHONE NO.: <input type="checkbox"/> ATTORNEY FOR <input type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD</p> <p>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</p> <p>STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:</p> <p>PETITIONER/PLAINTIFF:</p> <p>RESPONDENT/DEFENDANT:</p>	<p><i>FOR RECORDER'S USE ONLY</i></p> <p>DRAFT 5 icb 06/29/10 Not approved by the Judicial Council</p>
<p>ABSTRACT OF SUPPORT JUDGMENT</p>	<p>CASE NUMBER:</p>

<p>1. The <input type="checkbox"/> judgment creditor <input type="checkbox"/> assignee of record applies for an abstract of a support judgment and represents the following:</p> <p>a. Judgment debtor's</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> name and last known address </div> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;"> </div> <p>b. Driver's license no. and state: <input type="checkbox"/> Unknown</p> <p>c. Social security number: XXX-XX-____ (provide only last four digits) <input type="checkbox"/> Unknown</p> <p>d. Birth date: <input type="checkbox"/> Unknown</p> <p>Date: </p>	<p><i>FOR COURT USE ONLY</i></p>
--	----------------------------------

(TYPE OR PRINT NAME)

(SIGNATURE OF APPLICANT OR ATTORNEY)

2. I CERTIFY that the judgment entered in this action contains an order for payment of spousal, family, or child support.

3. Judgment creditor (name):

whose address appears on this form above the court's name.

4. ☐ The support is ordered to be paid to the following county officer (name and address):

5. Judgment debtor (full name as it appears in judgment):

6. a. A judgment was entered on (date):
b. Renewal was entered on (date):
c. Renewal was entered on (date):

7. ☐ An execution lien is endorsed on the judgment as follows:
a. Amount: \$
b. In favor of (name and address):

[SEAL]

This abstract issued on
(date):

8. A stay of enforcement has
a. ☐ not been ordered by the court.
b. ☐ been ordered by the court effective until (date):

9. ☐ This is an installment judgment.

Clerk, by _____, Deputy

SPR10-27**Child Support: Protection of Obligor's Social Security Number** (revise form FL-480)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
1.	Child Support Directors Association George O. Nielsen Vice-Chair	A	No narrative comments.	No response necessary.
2.	Hon. Louise Bayles-Fightmaster Child Support Commissioner Superior Court of Sonoma County	A	No narrative comments.	No response necessary.
3.	Susan Groves Family Law Facilitator Superior Court of San Diego County	A	No narrative comments.	No response necessary.
4.	Orange County Bar Association Lei Lei Wang Ekvall President	A	No narrative comments.	No response necessary.
5.	Superior Court of Los Angeles County	A	No narrative comments.	No response necessary.
6.	Superior Court of San Diego County Michael M. Roddy Court Executive Officer	A	No narrative comments.	No response necessary.

Attachment A

SB 40, Correa. Personal information: social security numbers.

Existing law requires any person, entity, or government agency that is presenting a document for recording or filing with a county recorder to only list the last 4 digits of a social security number. Existing law also requires a county recorder to use due diligence to truncate social security numbers in the public record version of official records.

This bill would provide that a document containing more than the last 4 digits of a social security number is not entitled for recording. This bill would also provide that a recorder shall be deemed to be in compliance if he or she uses due diligence to truncate social security numbers in documents recorded, as provided.

Existing law requires an abstract of judgment ordering a party to pay spousal, child, or family support to contain the social security number of the party who is ordered to pay.

This bill would instead require an abstract of judgment to contain only the last 4 digits of the social security number of the party who is ordered to pay.

The provisions of this bill would not apply to documents created prior to January 1, 2010.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1798.89 of the Civil Code is repealed.

SEC. 2. Section 1798.89 is added to the Civil Code, to read:

1798.89. (a) Unless otherwise required to do so by state or federal law, no person, entity, or governmental agency shall present for recording or filing with a county recorder a document that is required by any provision of law to be open to the public if that record displays more than the last four digits of a social security number. Unless otherwise authorized by state or federal law, a document containing more than the last four digits of a social security number is not entitled for recording.

(b) A recorder shall be deemed to be in compliance with the requirements of this section if he or she uses due diligence to truncate social security numbers in documents recorded, as provided in Article 3.5 (commencing with Section 27300) of Chapter 6 of Part 3 of Division 2 of Title 3 of the Government Code.

(c) This section shall not apply to documents created prior to January 1, 2010.

SEC. 3. Section 4506 of the Family Code is amended to read:

4506. (a) An abstract of a judgment ordering a party to pay spousal, child, or family support to the other party shall be certified by the clerk of the court where the judgment was entered and shall contain all of the following:

- (1) The title of the court where the judgment is entered and the cause and number of the proceeding.
 - (2) The date of entry of the judgment and of any renewal of the judgment.
 - (3) Where the judgment and any renewals are entered in the records of the court.
 - (4) The name and last known address of the party ordered to pay support.
 - (5) The name and address of the party to whom support payments are ordered to be paid.
 - (6) Only the last four digits of the social security number, birth date, and driver's license number of the party who is ordered to pay support. If any of those numbers are not known to the party to whom support payments are to be paid, that fact shall be indicated on the abstract of the court judgment. This paragraph shall not apply to documents created prior to January 1, 2010.
 - (7) Whether a stay of enforcement has been ordered by the court and, if so, the date the stay ends.
 - (8) The date of issuance of the abstract.
 - (9) Any other information deemed reasonable and appropriate by the Judicial Council.
- (b) The Judicial Council may develop a form for an abstract of a judgment ordering a party to pay child, family, or spousal support to another party which contains the information required by subdivision (a).
- (c) Notwithstanding any other provision of law, when a support obligation is being enforced pursuant to Title IV-D of the Social Security Act, the agency enforcing the obligation may record a notice of support judgment. The notice of support judgment shall contain the same information as the form adopted by the Judicial Council pursuant to subdivision (b) and Section 4506.1. The notice of support judgment shall have the same force and effect as an abstract of judgment certified by the clerk of the court where the judgment was entered. The local child support agency or other Title IV-D agency shall not be subject to any civil liability as a consequence of causing a notice of support judgment to be recorded.
- (d) As used in this section, "judgment" includes an order for child, family, or spousal support.



DRAFT

Judicial Council of California . Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courtinfo.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on: October 29, 2010

Title

Child Support: Notice of Change of
Responsibility for Managing Child Support
Case

Agenda Item Type

Action Required

Effective Date

January 1, 2011

Rules, Forms, Standards, or Statutes Affected
Form FL-634

Date of Report

September 14, 2010

Recommended by

Family and Juvenile Law Advisory
Committee

Contact

Anna L. Maves, 916-263-8624
anna.maves@jud.ca.gov

Hon. Jerilyn L. Borack, Cochair

Hon. Susan D. Huguenor, Cochair

Executive Summary

The proposed new form would enable a local child support agency to provide notice to the parties and the court in a title IV-D governmental child support case when the responsibility for managing the child support case changes from one county's local child support agency to a different county's local child support agency.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2011, adopt *Notice of Change of Responsibility for Managing Child Support Case* (form FL-634) so that the parents and court are informed when the responsibility for case management changes.

The proposed amended form is attached at pages 5 and 6.

Previous Council Action

The Judicial Council has taken no previous action on this issue.

Rationale for Recommendation

New mandatory form *Notice of Change of Responsibility for Managing Child Support Case* (form FL-634) would enable a local child support agency to provide notice to the court and the parties in a governmental child support case when the case management responsibility transfers from one county's local child support agency to a different county's local child support agency. It would also provide information to the parties about which local child support agency to contact when they have information or concerns about their cases. This form would be completed, filed with the court, and served on the parties by the local child support agency that has received the case management responsibility.

With the transition of all local child support agencies onto the statewide automated child support system, local child support agencies now have access to statewide information in governmental child support cases, even if those cases were initiated and are being enforced in a different county. On August 22, 2008, the California Department of Child Support Services (DCSS) issued a policy letter informing the local child support agencies that when a party moves from one county to another, the local child support agency's case management responsibility for that case can change. The local child support agency to which case management responsibility is transferred can administratively enforce the child support order without registering the court order in the county in which it is located.

In addition to providing notice of the change of the county with case management responsibility, this form would provide contact information and instruction to the parties specifying that all future communications regarding the child support case must be directed to the local child support agency with case management responsibility. Finally, the notice would inform the parties that any future court action must be filed with the superior court that continues to have jurisdiction over the child support issues. This essential information about which local child support agency is responsible for the day-to-day management of the child support case is not otherwise readily available to the court or the public because the state Department of Child Support Services' new policy regarding transfer of case management responsibility does not require the child support order to be registered in the court in the new managing county.

To ensure that the parties to a governmental child support action uniformly receive notice when case management responsibility transfers from one local child support agency to another and for the court to orderly administer its cases, the advisory committee recommends that this form be adopted as a mandatory Judicial Council form.

Comments, Alternatives Considered, and Policy Implications

Comments

The invitation to comment on the proposal was circulated from April 19, 2010, through June 18, 2010, to the standard mailing list for family and juvenile law proposals, as well as to the regular rules and forms mailing list. These distribution lists include judges, court administrators, attorneys, social workers, probation officers, mediators, and other family and juvenile law professionals. In addition, the proposal was sent to child support commissioners, family law facilitators, court clerks, the California Department of Child Support Services (DCSS) and Child Support Directors Association (CSDA) forms committee, and title IV-D program directors.

During the formal comment period the committee received 10 written comments. Of these, 7 agreed with the proposed form, with 4 suggesting modifications; 2 did not indicate a position; and 1 disagreed with the proposed form in its entirety. The committee reviewed and analyzed the comments and, in response to many of them, made some revisions to the proposed form. A chart summarizing the comments received and the committee's responses is attached at pages 7–11.

Some commentators requested the addition of an item providing instruction and contact information for the service of any pleading on the local child support agency that continues to be a party to the child support action. When a local child support agency initiates a governmental child support action or intervenes in an existing family law case, that local child support agency becomes a party to the action. Merely transferring case management responsibility to a different local child support agency, without that local child support agency registering the child support order with its court, does not alter the party status of the first local child support agency. Because case management responsibility can change multiple times, the committee has added a new item 2, which provides instruction to the parties for service of any child support pleadings and contact information for the local child support agency that continues to be a party to the child support case.

Several commentators requested some clarifying language to better inform the parties about which court has jurisdiction over the child support case, where the pleadings should be filed, and in which court a hearing will be held. In response, the committee added a new item 3 for specifying the court by name and providing the address of the court where all pleadings must continue to be filed and where any hearings will be held. Also, the notice section of the form has been modified to reference item 3 and to provide instruction to the parents.

The Child Support Director's Association (CSDA) requested that the effective date of this new form be changed from July 1, 2011, to January 1, 2011. In support of their position, CSDA states that the DCSS has already implemented the policy regarding transfers of case management responsibility, and case management responsibility is currently being transferred between local child support agencies without explanation or notice to the parties or the court. Further, rule 5.311 of the California Rules of Court allows local child support agencies a period of six months

after the effective date of the form to implement a new or revised Judicial Council form for support actions. Changing the effective date of this form from July 1 to January 1 would ensure that the form would actually be in use by July 1, 2011, rather than January 1, 2012. Moreover, DCSS will need to add this form to its statewide case management system. Previously, DCSS has indicated that it is more cost-effective to make all form changes in its statewide case management system at the same time. Because DCSS will need to revise some Judicial Council forms based on other proposals being considered by the Judicial Council with an effective date of January 1, 2011, having this proposed form become effective on the same date as the other proposals will be more cost efficient for DCSS. To keep the court and the parties informed about which local child support agency has case management responsibility, in which court all pleadings must continue to be filed, and where any subsequent hearing will be held, as well as to increase cost-effectiveness the committee recommends that the effective date of the form be January 1, 2011.

Alternatives Considered

The Family and Juvenile Law Advisory Committee considered taking no action, but the proposed adoption is necessary to improve administration of title IV-D child support cases. Given these considerations, the committee rejected the option of taking no action.

Implementation Requirements, Costs, and Operational Impacts

The committee is not aware of any implementation requirements, costs, or operational impacts on the local courts arising out of the proposed form adoption. This form will be exclusively generated, filed, and served by the local child support agency; courts will not bear the cost of producing this form.

Attachments

1. Form FL-634, at pages 5–6
2. Chart of Comments, at pages 7–11

GOVERNMENTAL AGENCY (Under Family Code, §§ 17400, 17406): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____	FOR COURT USE ONLY DRAFT 14 icb 09/14/10 Not approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	
NOTICE OF CHANGE OF RESPONSIBILITY FOR MANAGING CHILD SUPPORT CASE	CASE NUMBER:

NOTICE

The responsibility for managing your child support case has changed from one county's local child support agency to a different county's local child support agency. The managing local child support agency listed in item 1 now has the responsibility for enforcing the child support case. You must direct all future letters, telephone calls, questions, or information regarding your child support case to the managing local child support agency listed in item 1.

However, the change in managing local child support agency does **NOT** change the authority of the superior court to hear matters concerning the child support order. All pleadings and court forms must be filed with the superior court listed in item 3 and served on the local child support agency listed in item 2 and on any other party to the case.

THE COURT AND ALL PARTIES ARE NOTIFIED OF THE FOLLOWING:

1. New Child Support Agency: The Department of Child Support Services of (specify county): _____ is now the managing local child support agency responsible for the support activities in this case. If you have any questions or information about your case, you may contact the local child support agency by telephone at (specify telephone number): _____. You may contact the local child support agency in writing or in person at (specify address): _____.

2. Serving Pleadings: You must continue to serve a copy of any pleadings and court forms on the local child support agency in the following county (specify name and address): _____.

3. Court Filings: All pleadings and court forms in this action must be filed with the Superior Court of California, County of (specify name and address): _____.

4. Other (specify): _____

Date: _____



(TYPE OR PRINT NAME)

(SIGNATURE)

The local child support agency (listed in item 1) receiving case management responsibilities from another local child support agency must file with the superior court (listed in item 3) this *Notice of Change of Responsibility for Managing Child Support Case* within 10 days of receiving the case management responsibilities. This local child support agency must serve a copy of the notice on the parties and the local child support agency listed in item 2.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
---	--------------

PROOF OF SERVICE BY MAIL

1. I am at least 18 years of age, a resident of or employed in the county where the mailing took place, and not a party to this cause.
2. My residence or business address is:
3. I served a copy of this *Notice of Change of Responsibility for Managing Child Support Case* by enclosing it in a sealed envelope and depositing the envelope ☐ directly in the United States mail with postage paid OR ☐ at my place of business for same-day collection and mailing with the United States mail, following our ordinary business practices, with which I am readily familiar.
 - a. Date of deposit:
 - b. Place of deposit (*city and state*):
 - c. Addressed as follows:
 - (1) Local child support agency listed in item 2:
 - (2) Respondent/defendant:
 - (3) Other parent:
 - (4) Other (*specify*):

4. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

		
(TYPE OR PRINT NAME)		(SIGNATURE OF PERSON COMPLETING THIS FORM)

SPR10-28

Child Support: Notice of Change of Responsibility for Managing Child Support Case (adopt form FL-634)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
1.	California Family Law Cheryle Lynn Perez	N	The proposal contradicts itself. Paragraph 2, line 5 states that case management responsibility for that case can change, not that it will or has to change. I received a document about this and it too was contradicting, from Indio.	The commentator appears to be referencing the ITC rather than the form. This form will be sent when case management responsibility transfers from one local child support agency to a different local child support agency.
2.	Child Support Directors Association George O. Nielsen Vice-Chair	AM	<p>1. Change the second sentence in the second paragraph of the “NOTICE” box to read, “All pleadings must be filed with the superior court listed in the above caption and served on the local child support agency listed in item 3 and on any other party to the case.”</p> <p>2. Add a new item 2, which would state “You must continue to serve a copy of any pleadings on the Local Child Support Agency in the following county (<i>specify name and address</i>)</p> <p>_____.</p> <p>3. Change the current item 2 to item 3.</p> <p>4. Change the effective date from July 1, 2011 to January 1, 2010. The California Department of Child Support Services already has rules and procedures determining the appropriate county to have case management responsibility for IV-D cases. California Rule of Court, Rule 5.311 allows local child support agencies a period of six months after the effective date to implement a new or revised Judicial Council form. Changing the effective date of this form to</p>	<p>The form was modified in the “Notice” section and a new item 3 was added to provide with specificity where all pleadings should be filed and where any hearing will be held.</p> <p>A new item 2 was added to the form. This new paragraph provides for the circumstance where the case management responsibility previously transferred from the county which continues to have jurisdiction over the case.</p> <p>This change was made.</p> <p>In order to keep the court and the parties informed about which local child support agency has case management responsibility, in which court all pleadings must continue to be filed, and where any subsequent hearing will be held, and in an effort to increase cost effectiveness the proposed effective date of the form was revised to January 1, 2011.</p>

SPR10-28**Child Support: Notice of Change of Responsibility for Managing Child Support Case (adopt form FL-634)**

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			January 1 to July 1, would ensure that the form would actually be in use by July 1, 2011.	
3.	Hon. Christine Copeland Child Support Commissioner Superior Court of San Benito County	NI	In text box below caption, use “court forms” instead of the word “pleadings.”	The phrase “court forms” was added to the form to make the form more understandable to self-represented litigants.
4.	Doug Durward	NI	Although the proposal and the form say that the superior court to use will be listed on the form, it does not seem to have a place where it is actually listed. I see that the Court address area in the caption can be filled in, so I assume this is what they mean, but it is not clear. It seems like there could be a place in the "meat" of the form.	The form was modified in the “Notice” section and a new item 3 was added to provide with specificity where all pleadings should be filed and where any hearing will be held.
5.	Hon. Louise Fightmaster Child Support Commissioner Superior Court of Sonoma County	A	While I think that this process creates a nightmare for the litigants in that they get very confused between the managing county's responsibilities and the continuing exclusive jurisdiction county's responsibilities, this new form is better than no explanation - which is all the litigants have now.	No response necessary.
6.	Susan Groves Family Law Facilitator Superior Court of San Diego County	AM	1. Bold paragraph two in the “Notice” box. 2. Add the following sentence to #2: “However, the superior court listed on this notice is still the court that will hear matters concerning your child support order.”	Both paragraphs in the “Notice” section of the form are equally important. To bold one paragraph would mislead the parties about part of the Notice being more important than other paragraphs on the form. The form was modified in the “Notice” section and a new item 3 was added to provide with specificity where all pleadings should be filed and where any hearing will be held.
7.	Orange County Bar Association Lei Lei Wang Ekvall President	A		No response necessary.

8 Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

SPR10-28

Child Support: Notice of Change of Responsibility for Managing Child Support Case (adopt form FL-634)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
8.	Superior Court of Los Angeles County	A		No response necessary.
9.	Superior Court of San Diego County Michael M. Roddy Court Executive Officer	AM	<p>The following amendments to form FL-634 are recommended:</p> <ol style="list-style-type: none">1. In order to stress its importance, bold paragraph 2 in “Notice” box.2. In order to emphasize what court should hear matters concerning a child support order that has been issued, add the following sentence to 2.: “However, the superior court listed on this notice is still the court that will hear matters concerning your child support order.”	<p>Both paragraphs in the “Notice” section of the form are equally important. To bold one paragraph would mislead the parties about part of the Notice being more important than other paragraphs on the form.</p> <p>The form was modified in the “Notice” section and a new item 3 was added to provide with specificity where all pleadings should be filed and where any hearing will be held.</p>
10.	Hon. Rebecca Wightman Child Support Commissioner Superior Court of San Francisco	AM	<p>This form is a very good idea. However, I also believe that the concepts of managing county (e.g. for day to day DCSS enforcement activities), and the county for the responsibility to hear matters concerning the child support order are very, very difficult for lay individuals to understand. While the “Notice” in the boxed section tries to make that distinction clear – lay individuals are still going to get confused.</p> <p>I also think that the second sentence of the 2nd paragraph in the boxed Notice is unclear – and possibly inaccurate depending upon the factual circumstances of a case – when it states: “All pleadings must be filed with the superior court listed on this notice and served on the local child support agency listed in item 2 and any other parties to the case.” When it mentions the</p>	<p>The form was reviewed and changes were made to clarify for the parties which local child support agency has responsibility for managing the child support case, where all pleadings and court forms must be served, and in which superior court all pleadings must be filed.</p> <p>A new item 2 was added to the form. This new paragraph provides for the circumstance where the case management responsibility previously transferred from the county which retains venue over the case. It provides instructions and contact information for the local child support agency where pleadings must continue to be served.</p>

SPR10-28

Child Support: Notice of Change of Responsibility for Managing Child Support Case (adopt form FL-634)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			<p>superior court listed on this notice – do you mean listed up on top? What if the “other” section somehow references the name of a superior court –then which one does the litigant file his/her pleadings in? Also, what happens when the managing county gets changed more than once? Example: LA case (where superior court jurisdiction remains and pleadings must be filed); managing county responsibility moves to Sierra Nevada, but then 6 months later the managing county responsibility moves to Riverside. The instruction to serve copies of all pleadings on the agency listed in item 2 is no longer accurate if the 2nd notice tells the litigant that Sierra Nevada is no longer the managing county (i.e. Sierra Nevada is not necessarily the superior court which has jurisdiction for filing of pleadings, so the notice to the litigant to file and serve pleadings on the agency listed in item 2 (Sierra Nevada in this example) will not necessarily be correct (unless I am misunderstanding the purpose and use of this notice).</p> <p>My suggestions:</p> <p>Put the 2nd paragraph in the “boxed” Notice (re: where pleadings must still be filed) in bigger font from the 1st paragraph in that box, AND bold the 2nd paragraph. Specify where on the notice (e.g. top – or as suggested below, in a new item number) the proper superior court is listed that is referenced in this paragraph.</p> <p>Put a new number 3, and a blank line: 3.</p>	<p>Both paragraphs in the “Notice” section of the form are equally important. To bold one paragraph would mislead the parties about part of the Notice being more important than other paragraphs on the form.</p>

SPR10-28

Child Support: Notice of Change of Responsibility for Managing Child Support Case (adopt form FL-634)

All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			_____ (specify county) in which all pleadings must be filed (i.e. the county which still retains jurisdiction notwithstanding the change in managing county). And re-number the existing number 3 “other” as number 4.	The form was modified in the “Notice” section and a new item 3 was added to provide with specificity where all pleadings should be filed and where any hearing will be held.

TAB B

CCMS Update

Mr. Robert J. Steiner

CCMS Project Status
AB 1058 Child Support
Training Conference
September 29, 2010



Overview

- What is CCMS?
 - A single Web based application
 - Supports all case types
 - To be deployed to all 58 Superior Courts



Overview

- Goals

- Creating a common technical infrastructure
- Facilitating common business practice
- A common approach for all case types
- Adopting standards for configuration and data sharing
- Integrating with local and state justice partners to increase public safety and reduce liability
- Ensuring equal access to justice for the public
- State ownership and maintenance of developed software to produce cost benefits
- Ensure reasonable development times
- Maximize economies of scale and leverage shared resources.

3



Overview

- Development Steps

- CCMS-V2
 - Criminal, Traffic
 - Deployed in Fresno Superior Court
- CCMS-V3
 - Civil, Small Claims, Probate and Mental Health
 - Deployed in Los Angeles, Orange, Sacramento, San Diego, San Joaquin and Ventura Superior Courts (All and/or Partial)
- CCMS-V4
 - Updated Architecture
 - Functionality from CCMS-V2
 - Built on CCMS-V3 baseline
 - Adds all other Case Categories – Family Law, Juvenile Dependency, Juvenile Delinquency
 - Testing phase in process

4



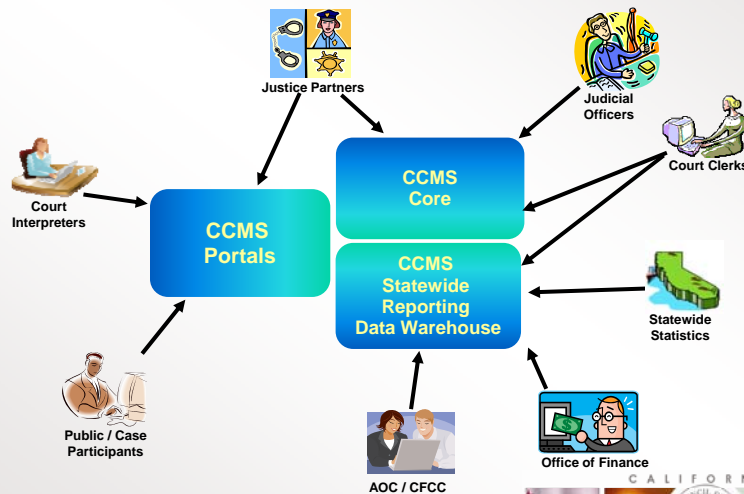
CCMS Development Project Partners

- AOC
 - Southern Regional Office
 - Information Services Division
 - Center for Families Children and the Courts (CFCC)
 - Executive Office Programs
 - Others: Finance, General Counsel, Education
- Lead Courts (5)
 - Los Angeles, Orange, Sacramento, San Diego, Ventura
- Other Involved Courts (24)
 - Alameda, Butte, Calaveras, Fresno, Glenn, Imperial, Inyo, Kings, Lake, Mendocino, Nevada, Placer, Plumas, Riverside, San Bernardino, San Joaquin, San Luis Obispo, Santa Clara, Santa Cruz, San Francisco, Shasta, Siskiyou, Sonoma and Yolo
- More than 220 staff and 40 judicial officers
- Deloitte Consulting

5



CCMS Components



6



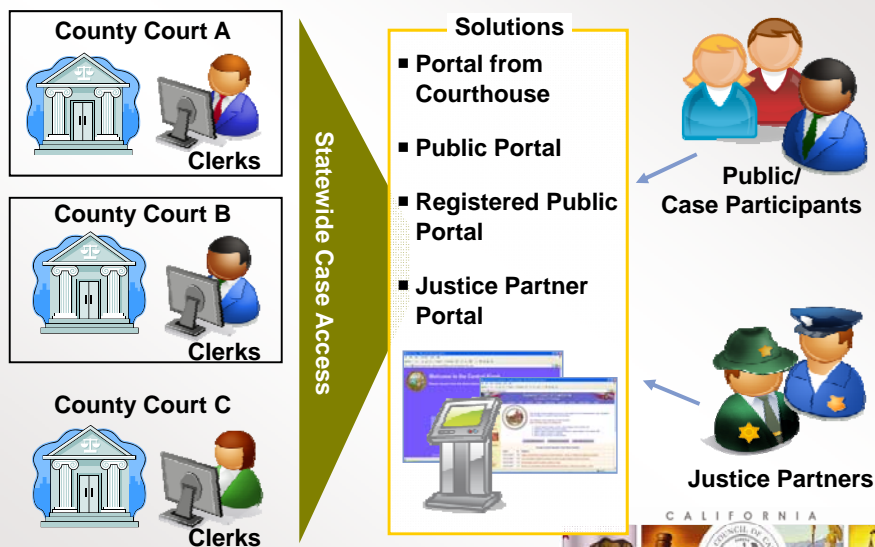
Data Exchange Partners

- Department of Motor Vehicles
- Department of Justice
- Appellate Courts
- Department of Social Services
- Department of Child Support Services
- Department of Corrections
- Franchise Tax Board
- Employment Development Department
- State Bar of California
- Financial Agencies (County Auditors, Phoenix Financial System)
- Prosecuting Attorneys (DA, CA, AG)
- Public Defender
- Probation (Adult & Juvenile)
- Law Enforcement Agencies (Sheriff, PD's, CHP)
- Traffic Schools
- E-filing Providers
- Collection Agencies

7



Portals



8



Next Steps

- Finish Integration Testing – February 2011
- Begin Product Acceptance Testing (PAT)
– February 2011
- Complete PAT
 - Core – April 2011
 - Portals, Statewide Reporting & Data Exchanges – July 2011

9



Next Steps

- Complete Documentation – May 2011
- Early Adopter Deployments
 - San Diego, San Luis Obispo & Ventura
 - Currently in Readiness Assessment phase – November 2010
 - Roll Out – December 2012
- Future deployments dependent on future funding

10



TAB B

Legislative Update

Ms. Tracy Kenny

***ADDITIONAL MATERIALS
TO BE DISTRIBUTED***

Legislative Update

2010 AB 1058 Conference



ADMINISTRATIVE OFFICE
OF THE COURTS



Overview

- Where we are in leg cycle
- Child support legislation
- Other family law legislation
- DCSS Administrative Process Budget Change Proposal



ADMINISTRATIVE OFFICE
OF THE COURTS



Legislative Cycle

- 2009-10 Legislative Cycle drawing to a close
- Governor has until September 30th to sign/veto
- Handout status as of 9/27
- Budget discussions ongoing



ADMINISTRATIVE OFFICE
OF THE COURTS



SB 580 (Wright)

- Federal compliance bill re medical support
- Sponsored by DCSS
- Rebuttable presumption that insurance is reasonable if 5% or less of gross income
- Deems medical support unreasonable for low income obligors unless court finds otherwise unjust



ADMINISTRATIVE OFFICE
OF THE COURTS



SB 1355 (Wright)

- Suspends IV-D orders for obligors incarcerated for 90+ days w/o means
- Upon release former order resumes
- Obligor petitions to adjust arrears
- Court may deny if DV or failure to pay support
- Effective July 1, 2011 to July 1, 2015 (form changes coming)



ADMINISTRATIVE OFFICE
OF THE COURTS



AB 939 (Judiciary)

- Implements Elkins recs
- Allows mail service for post-judgment modifications
- Live testimony
- Findings for attorney fee requests
- Case management w/o stipulation (new name)



ADMINISTRATIVE OFFICE
OF THE COURTS



AB 939 continued

- Minor's counsel reforms
- Re-names recommending mediation
- Allows paternity stipulations in DVPA cases
- DVPA custody & support orders survive
- Revises summary dissolution statute



ADMINISTRATIVE OFFICE
OF THE COURTS



AB 1050 (Ma)

- Presumption that child can provide input on custody at 14
- If court finds not in best interests, must find alternate means
- Requires new rule of court
- Statutory changes effective at same time as rule of court



ADMINISTRATIVE OFFICE
OF THE COURTS



AB 2416 (Cook)

- Clarifies procedures when deployment requires change in custody order
- Allows court to order stepparent, grandparent or other relative visitation
- Requires expedited proceedings or telephonic appearances



ADMINISTRATIVE OFFICE
OF THE COURTS



Admin Process BCP

- Spring Finance Letter issued by Administration in April
- Proposed statutory changes to allow LCSAs to establish & modify orders
- Required court approval, allowed litigants to access court to dispute order



ADMINISTRATIVE OFFICE
OF THE COURTS



Legislative Process

- Because budget proposal, heard in leg budget subcommittees
- Judicial officers, facilitators, and attys testified in opposition
- Both committees rejected proposal – suggested that DCSS work with Stakeholders



ADMINISTRATIVE OFFICE
OF THE COURTS

TAB C

Hot Topics in Child Support: Displaying GC Calculations in the Courtroom, All-Day Calendar Pilot, Staggered Calendars, and Venue/Videoconferencing

**Hon. Terry Lee, Ms. Diane Bras, Ms. Sharon Remley,
Mr. Eric Tannenwald, Hon. Rebecca L. Wightman,
Hon. Jana Kast-Davids, Hon. Jeri Hamlin,
and Hon. B. Scott Thomsen**

TAB C

Hot Topics in Child Support: Displaying GC Calculations in the Courtroom

Hon. Terry Lee, Ms. Diane Bras, Ms. Sharon Remley,
and Mr. Eric Tannenwald

NO MATERIALS TO BE DISTRIBUTED

TAB C

Hot Topics in Child Support: All-Day Calendar Pilot

Hon. Rebecca L. Wightman

NO MATERIALS TO BE DISTRIBUTED

TAB C

Hot Topics in Child Support: Staggered Calendars

Hon. Jana Kast-Davids

DCSS CALENDAR: August 2010

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
8/2/2010	W 8/3/2010 8:15 a.m. Job Court (seek work) 9:30 a.m. PD Matters	W 8/4/2010 8:15 a.m. DCSS Motions 9:00 Pro Per Motions 10:00 DCSS Judgments 1:30 p.m. Evidentiary Hearings	8/5/2010	8/6/2010
8/9/2010	8/10/2010	W 8/11/2010 8:15 a.m. DCSS Motions 9:00 Pro Per Motions 10:00 DCSS Judgments 1:30 p.m. Telephonic Hearings	8/12/2010	8/13/2010
8/16/2010	W 8/17/2010 8:15 a.m. DCSS Motions 9:00 Pro Per Motions	8/2/2010 Special Settings	8/19/2010	8/20/2010
8/23/2010	W 8/24/2010 8:15 a.m. DCSS Motions 9:00 Pro Per Motions	W 8/25/2010 8:15 a.m. Motions 9:00 Pro Per Motions 10:00 DCSS Judgments 1:30 p.m. UEB Matters	8/26/2010	8/27/2010
8/30/2010	8/31/2010 8:15 a.m. DCSS Motions 9:00 Pro Per Motions			

W - Watsonville Branch
(Dept. A.)

- PD Matters (9:30 a.m.) and Job Court/OEX (8:15 a.m.) will be heard on the first Tuesday of each month in Watsonville, Dept. A.
- Telephone Hearings will be set at 1:30 p.m. on the second Wednesday of each month in Watsonville, Dept. A unless otherwise indicated. Parents should contact DCSS to schedule a telephone hearing.
- Evidentiary Hearings will be set on Wednesdays at 1:30 p.m. in Watsonville, Dept. A.
- Commissioner Kast-Davids will be in Watsonville Chambers on Mondays for settlement conferences and calendar preparation.

TAB C

Hot Topics in Child Support: Venue/Videoconferencing

Hon. Jeri Hamlin and Hon. B. Scott Thomsen

Proposed Language:

Electronic Hearings for Child Support Orders

Amend Section 17400(n) of the Family Code to read:

(n)(1) Notwithstanding any other law, venue for an action or proceeding under this division shall be determined as follows:

(A) Venue shall be in the superior court in the county that is currently expending public assistance.

(B) If public assistance is not currently being expended, venue shall be in the superior court in the county where the child who is entitled to current support resides or is domiciled.

(C) If current support is no longer payable through, or enforceable by, the local child support agency, venue shall be in the superior court in the county that last provided public assistance for actions to enforce arrearages assigned pursuant to Section 11477 of the Welfare and Institutions Code.

(D) If subparagraphs (A), (B), and (C) do not apply, venue shall be in the superior court in the county of residence of the support obligee.

(E) If the support obligee does not reside in California, and subparagraphs (A), (B), (C), and (D) do not apply, venue shall be in the superior court of the county of residence of the obligor.

(2) Notwithstanding paragraph (1), if the child becomes a resident of another county after an action under this part has been filed, venue may remain in the county where the action was filed until the action is completed.

(3) *Notwithstanding any other provision of law, a commissioner appointed to hear cases under this division has the authority to hold hearings by telephone, audiovisual means, or other electronic means from any physical court location within any venue where he or she is appointed.*

The Judicial Council shall adopt court rules to implement this subdivision on or before July 1, 20—to implement this subdivision. A superior court may implement this paragraph upon adoption of the court rules prepared by the Judicial Council and upon approval of all of the presiding judges of the courts that share a child support commissioner.

TAB D

Roundtables: Child Support Commissioners/Family Law Facilitators/Paralegals/General

**Hon. Dennis Umanzio, Ms. Fariba Soroosh,
Ms. Debra Spatafore, Ms. Jamie G. Lau,
and Ms. Anna L. Maves**

MATERIALS TO BE DISTRIBUTED

TAB D

Child Support Commissioners' Roundtable

Hon. Dennis Umanzio

MATERIALS TO BE DISTRIBUTED

TAB D

Family Law Facilitators' Roundtable

Ms. Fariba Soroosh

MATERIALS TO BE DISTRIBUTED

TAB D

Paralegals' Roundtable

Ms. Debra Spatafore

MATERIALS TO BE DISTRIBUTED

TAB D

General Roundtable

Ms. Jamie G. Lau and Ms. Anna L. Maves

MATERIALS TO BE DISTRIBUTED

TAB E

New Family Law Facilitators' Orientation

AOC AB 1058 Staff and Ms. Kristine Reiser-Juick

MATERIALS TO BE DISTRIBUTED

TAB F

AB 1058 Administration and Accounting

**Mr. Paul Fontaine, Ms. Mimi Ly,
Ms. Valerie Vindici, and Mr. Michael L. Wright**

***ADDITIONAL MATERIALS
TO BE DISTRIBUTED***

AB 1058 Accounting & Administration Training

Michael Wright, Paul Fontaine , Mimi Ly

1

Agenda

- Introductions
- Program Manager's Update
- AB 1058 Accounting Forms
- Request for Program Modifications and Enhancements
- Administrative and Contract Reporting Updates
- Bailiff/Security Average Costing
- Roundtable Exercises

2

AB 1058 Program Manager Update

Michael Wright,
Supervising Attorney/Program Manager

3

Agenda

- Child Support Program Overview
- Current and Future Budget Implications and Issues
- Contractual Agreements and Deliverables
- Mid-Year Reallocation Process
- Time Reporting Issues e.g. AB 1058 vs. Self-help
- Program Audits

4

AB 1058 Program Overview

What is the AB 1058 Program?

- Legislative mandated IV-D program
- Enforce child support cases
- Collection and distribution of payments
- Provide health care coverage to support child



5

AB 1058 Program Overview

Government Roles

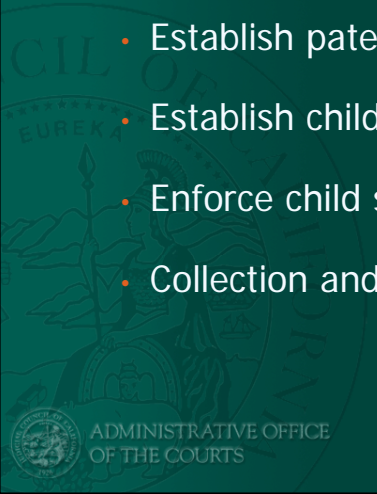
- Federal (Office Of Child Support Enforcement, OCSE)
 - Funding to establish program
 - Policies & Regulations
- State Administer (DCSS & AOC)
 - Child Support Commissioner (CSC)
 - Family Law Facilitator (FLF)
- Local services provided
 - Courts
 - LCSA



6

Title IV-D Program Services

- Locate noncustodial parents
- Establish paternity
- Establish child support orders
- Enforce child support orders
- Collection and distribution of support



7

AB 1058 Program Contracts

- Contract between DCSS and JCC
- Contract between JCC and Local Court
- Block grant subject to expectation of a standard package of "services"
- Court Deliverables



8

Standard Service Package

- Expectations
 - CSC calendar time, FTEs and support staff
 - Court reporters & interpreters
 - Security
 - Training Requirements



9

Court Deliverables

- Plan of Cooperation with Local Child Support Agency (LCSA)
- Disclosure of all funding sources
 - Written contract between contracted FLF and CSC
- Quarterly FLF Data Report (customer service statistics)
- Written FLF Office Complaint resolution process



10

AB 1058 Program Funding & Spending Update

11

AB 1058 Program Funding

- Program Funding Sources:
 - Title IV-D Funding (State/Federal matching funds)
 - 2/3 Feds & 1/3 State
 - Trial Court Trust Fund
 - Expanded Services (DV, Custody-Visitation-Dissolutions)
 - Self Help
 - Other grant and non-grant funds

12

AB 1058 Program Funding

Federal Drawdown Option

- Short term alternative began FY 07-08
- Additional federal funds
- Requires court contribution
- Subject to a cap



13

Federal Drawdown Option

Mechanism for the courts to recover two-thirds of additional program costs beyond the base maximum

Example:

Court expenses exceed base allocation by \$300.

- Court Share (1/3) - \$100
- Federal Share (2/3) - \$200



14

AB 1058 Program Mid-Year Reallocation

- Annual Court Questionnaire
 - Assume current program level
 - Exclude program expansion
 - Exclude program enhancements and new facility leases
 - Expenditures to date (used to calculate funding for remainder of year)
- Review and evaluation by AOC committees with approval by Judicial Council
- AOC-Court contract amendment
- Continue reimbursement process using amended budget amounts



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15

AB 1058 Program Funding

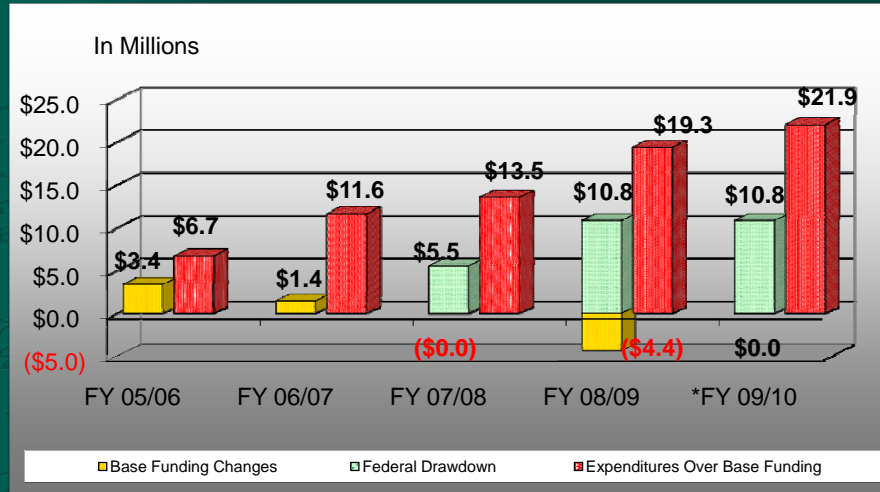
- Flat funding in Child Support Program for FY 09-10 and FY 10-11
- Decrease in Child Support Program base funding for FY 08-09 + increase in federal draw down option
- Flat funded in Child Support Program for FY 07-08 + federal draw down option



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16

Program Funding History



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*Expenditures received to date and does not represent full Fiscal Year 09/10 expenses

17

Expenditure Categories

- Expenditure categories are consistent for both the CSC and FLF Programs

- Salaries
- Benefits
- Operating Expenses
- Indirect

COURT

EUREKA

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ADMINISTRATIVE OFFICE

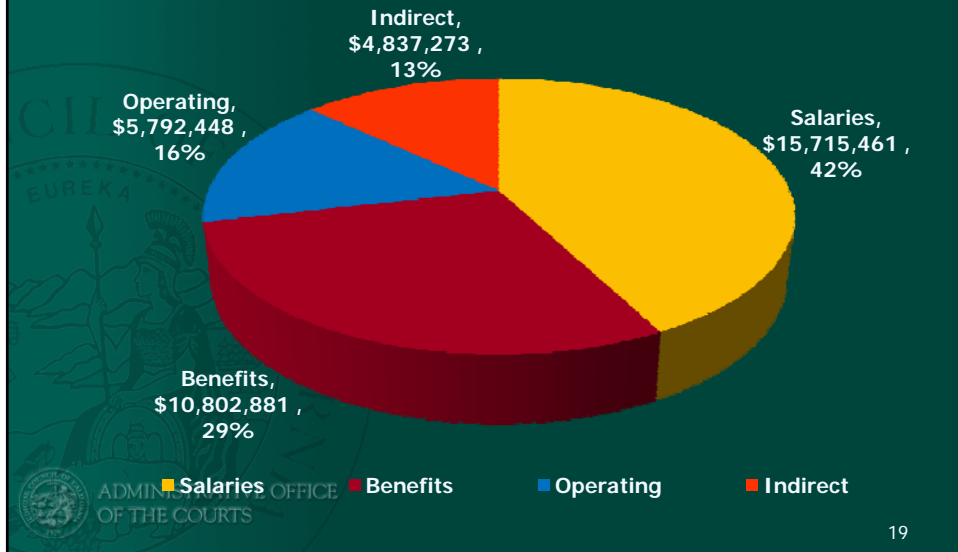
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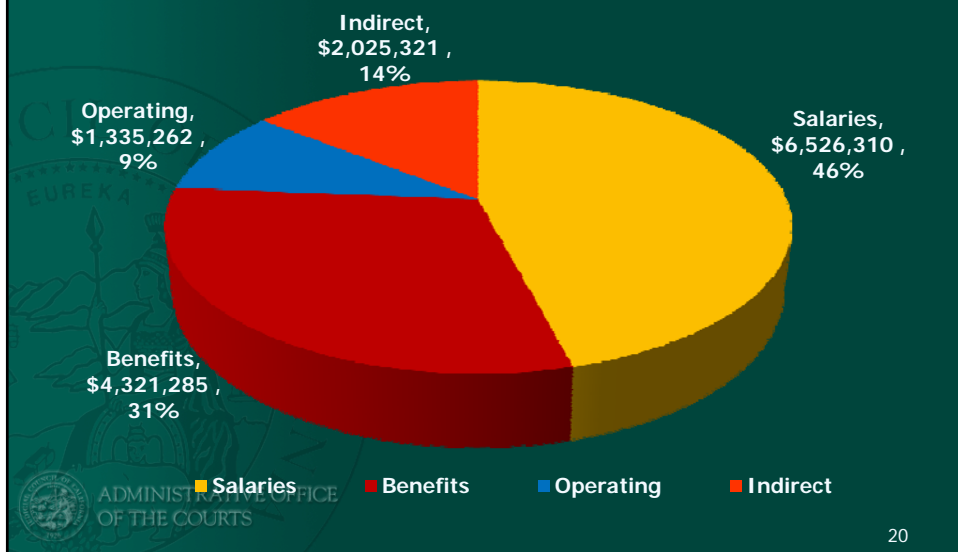
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18

CSC Program Expenditures by Category FY 09/10



FLF Program Expenditures by Category FY 09/10



AB 1058 Program Audits and Expansions

The seal of the Council of State of California is visible in the background. It features a circular design with the text "COUNCIL OF STATE" at the top and "1926" at the bottom. The center contains a shield with various symbols, including a ship and a plow.

21

AB 1058 Program Audits

- Historical Audits
 - Office of Child Support Enforcement (OCSE)
 - Administrative Office of the Courts
 - New Potential Audits
 - Department of Child Support Audit (DCSS)
 - Department of Finance
- 
- The seal of the Administrative Office of the Courts is visible in the background. It features a circular design with the text "ADMINISTRATIVE OFFICE OF THE COURTS" at the bottom. The center contains a shield with various symbols, including a ship and a plow.

22

AB 1058 Program Audits

- Department of Child Support Audit (DCSS)
 - Compliance of federal and state regulations
 - Completion of program deliverables
 - Proper accounting records and adequate documentation
 - Program cost efficiencies
 - Consistency of application of cost



23

AB 1058 Program Audits

- Department of Finance Audit
 - Financial statements
 - Proper accounting records and adequate documentation
 - Internal control - Segregation of duties
 - Authorized approvals
- Administrative Office of the Courts Audit
 - Operations/Internal Control
 - Contract Compliance



24

Program Expansion

- Increase merge of Family Law Facilitator and Self-Help offices
- Separation of Funding
 - IV-D Program funds
 - Self Help funds
 - Other court program funds
- Understanding of activities between AB 1058 facilitator, self help and other family law functions



25

AB 1058 Family Law Facilitator Functions

Title IV-D

- Child support cases opened at LCSA
 - Child Support matters
 - Paternity matters
 - Companion Spousal support matters
 - Health insurance matters

Outreach Activities

- Child support cases not yet filed at the LCSA.
 - Providing information & referral services
 - Distributing court forms
 - Brief Explanation of court process

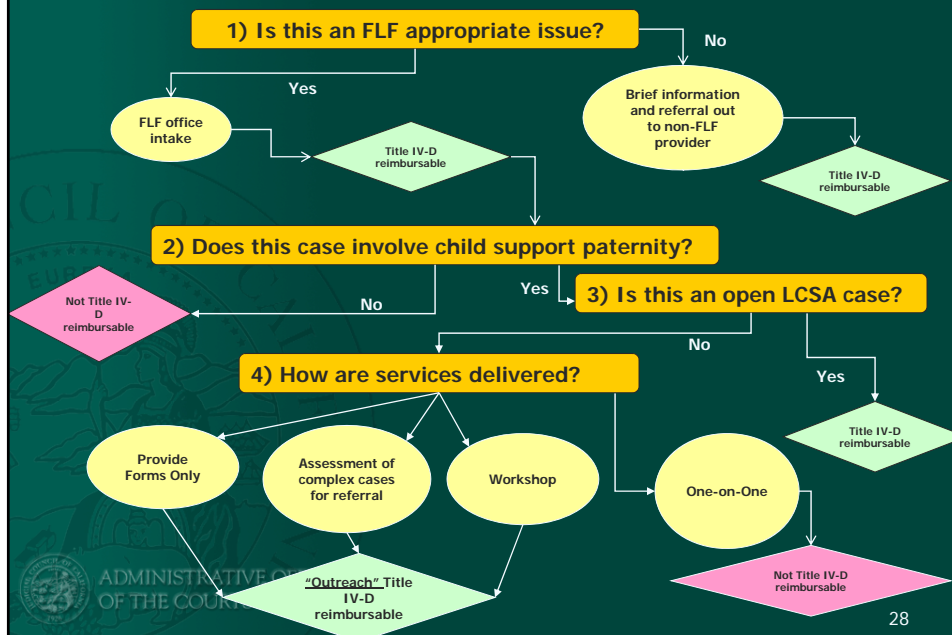


26

Self-Help and other family Law Functions

- Domestic Violence
- Custody and Visitation
- Dissolution of marriage issues other than support
- Adoptions
- Juvenile Delinquency
- Non-Child Support Related Activities
- Other non-grant activities, ie. General court administration

FLF Reimbursability Decision Tree



AB1058 Commissioner vs. Other Family Law Services

AB 1058 Services

- Child support cases opened at LCSA
- Child Support matters
- Paternity matters
- Companion Spousal support matters
- Health insurance matters

Other Family Law Services

- Non-LCSA parentage/child support cases heard by commissioner
- Domestic Violence
- Custody and Visitation
- Dissolution of marriage issues other than support
- Adoptions
- Juvenile Delinquency



29

AB 1058 Program Updates

- Current Budget Impacts/Issues
 - Administrative Process Proposal
 - Cost saving strategies



30

The seal of the Judicial Council of California is centered on the slide. It is a circular emblem with the words "JUDICIAL COUNCIL OF CALIFORNIA" around the top and "1926" at the bottom. The center features a figure holding a torch, with the word "EUREKA" above it.

Q&A

31

The seal of the Judicial Council of California is partially visible on the left side of the slide. It is a circular emblem with the words "JUDICIAL COUNCIL OF CALIFORNIA" around the top and "1926" at the bottom. The center features a figure holding a torch, with the word "EUREKA" above it.

Break 10:00 – 10:30

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32

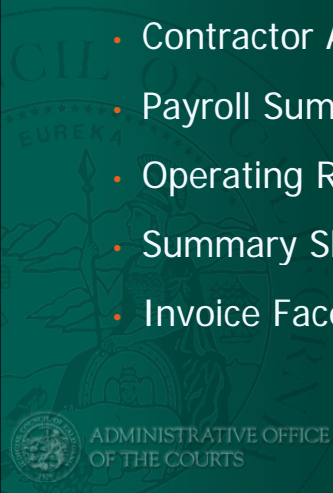
The seal of the Judicial Council of California is visible in the background. It features a central figure holding a torch and a scale, surrounded by the words "JUDICIAL COUNCIL OF CALIFORNIA" and "EUREKA" at the top. The year "1926" is at the bottom.

AB 1058 Program Reporting Forms

33

AB1058 Grant Forms

- Timesheet
- Contractor Activity Log
- Payroll Summary Sheet
- Operating Recap Sheet
- Summary Sheet
- Invoice Face Sheet



34

AB1058 Timesheets

Employee Name:

Pay Period Start:

Pay Period End:

The electronic version of the timesheet is designed to automatically calculate the total hours worked by program.

A	B	C	D	E	F	G	H	I	J = (B thru I)	K	L = (J+K)
Date	TITLE IV-D HOURS	(Insert Program Name)	(Insert Program Name)	(Insert Program Name)	(Insert Program Name)	(Insert Program Name)	(Insert Program Name)	Other Hours	Total Hours Worked	Total PTO Used (vac/sick/holiday)	Total Hours Including Paid
Total Hours											

I hereby certify under penalty of perjury that this time sheet accurately represents actual time worked and any leave time charged or authorized to any grant included does not exceed leave time earned while working on the grant.

Employee Signature

Date

Supervisor Signature

Date


PTO=Paid Holidays, vacation, sick leave, jury duty, etc. (excluding accrued vacation and sick leave).

A00-4 TIMESHEET (REV 07/2008)

35

AB1058 Timesheets

- Timesheet – Court employees (W-2)
- Contract Activity Log – Contractors (1099)
- Positive Reporting- account for 100% of time
- Increments of 15 minutes
- Furlough days not reported on timesheet
- Must be completed and signed by employee and reviewed approved by supervisor



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36

AB 1058 Payroll Summary Sheet

AB 1058 Payroll Summary Sheet

AOC Timesheet

Court Name: Fiscal Year:
 Employee Name: Pay Period Start: Pay Period End:
 Title:

The electronic version of this timesheet is designed to electronically calculate the total hours worked by program.

Date	Time In (H:M)	Time Out (H:M)	Overtime (H:M)	Total Hours (H:M)	Total Pay (H:M)	Total Pay (H:M)
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I hereby certify under penalty of perjury that this time sheet accurately represents actual time worked.

Employee Signature: Date:
 Supervisor Signature: Date:

PTSD-Paid training, vacation, sick leave, jury duty, etc. (including annual vacation and sick leave)

Report Court: County of Month of

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I hereby certify under penalty of perjury that this time sheet accurately represents actual time worked.

Employee Signature: Date:
 Supervisor Signature: Date:

PTSD-Paid training, vacation, sick leave, jury duty, etc. (including annual vacation and sick leave)

Other Program Payroll Summary Sheet

Report Court: County of

Month of

Date	Time In (H:M)	Time Out (H:M)	Overtime (H:M)	Total Hours (H:M)	Total Pay (H:M)	Total Pay (H:M)
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AB 1058 Payroll Summary Sheet

PAYROLL SUMMARY SHEET

PROGRAM TITLE: **CHILD SUPPORT COMMISSIONER PROGRAM** FISCAL YEAR: **2009-2010**

REPORTING PERIOD: FROM: TO:

A	B	C	D	E	F	G	H=F+G	I	J=H/I	K=F/H	L=D/I*F	M=E/I*(F/H)	N=F/H*I	O=D/I*H	P=M+O	Q=L+P	R=D+E-Q
Item No.	Name	Job Title	Gross Pay	Gross Benefits	Program Hours	Non Program Hours	Total Hours Worked	Benefit Hours	Total Paid Hours	% of Program Hours of Productive Time	Program Pay for Worked Hrs	Reimbursable Employer Paid Benefits	Reimbursable Benefit Hours	Benefit Hours Amount	Total Program Fringe Benefits	Total Prog Sal & Ben	Total Non Prog Sal & Ben
1										0.00%							
2										0.00%							
3										0.00%							
4										0.00%							
5										0.00%							
6										0.00%							
7										0.00%							
TOTALS										0.00%							

CERTIFICATION: I hereby certify under of penalty perjury that the information provided here accurately represents official records and are in compliance with the program contract.

AUTHORIZED OFFICIAL: **TITLE:**

SIGNATURE **DATE**

A00-3 PAYROLL SUMMARY SHEET (REV 07-09)

AB 1058 Operating Recap Sheet

AB 1058 Operating Recap Sheet Child Support Commissioner Program FY 2009-2010

Superior Court, County of

100% Reimbursable Expenditures							
Category	Vendor Name	Description	Invoice #	Check/Warrant #	Date Paid	Amount	
ex: Contracted Commissioner	Jon Hanks	Services for 7/1-7/30	123456	00001-151546	8/1/09	2,500.00	
ex: Interpreter	Mel Sims	Half day services for 7/29	12222	00001-151550	8/2/09	150.00	
ex: Training	Tracy Haggerty	CSDA Reg. Fee 7/15-7/18	71809	00001-151551	7/1/09	175.00	
						Sub-Total	\$ 2,825.00
Partially Reimbursable Expenditures							
Category	Vendor Name	Description	Invoice #	Check/Warrant #	Date Paid	Amount	
ex: Office Supplies	Corporate Express	Office Supplies	15465	00001-151547	8/1/09	100.00	
ex: Rent	Greenhaven Leasing Co.	July Rent	15466	00001-151548	8/1/09	2,000.00	
ex: Perimeter Security	County Sheriff's Dept.	July Shared Perimeter Security Costs	15477	00001-151549	8/1/09		
						Sub-Total	2,100.00
						Reimbursable Operating %	54.60%
						Total Operating Expenditures	\$ 3,971.60

**** Total billable amount = total of 100% Reimbursable Expenditures + Adjusted total of partially Reimbursable Expenditures**

100% Reimbursable Expenses

- Contracted Facilitators and Commissioners
- Contracted Temporary Employees
- Court Interpreter Expenses
- Bailiff Expenses (proportionate to Commissioner hrs)
- Travel expenses
- Pre-approved Training/Conferences (1 per year)
- Pre-approved memberships



41

Partially Reimbursable Expenses

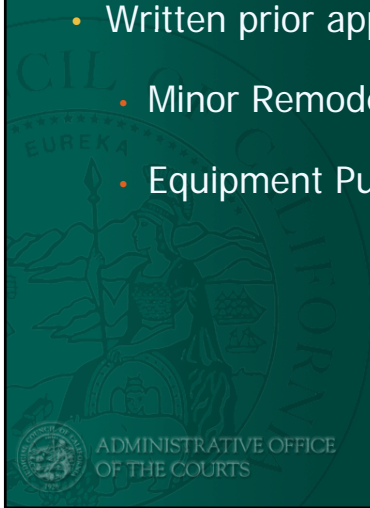
- Perimeter security
- Rent
- Office Supplies
- Equipment



42

Pre-Approved Expenses

- Written prior approvals required:
 - Minor Remodeling
 - Equipment Purchases > \$5,000



43

AB 1058 Summary Sheet

Payroll Summary Sheet

Superior Court, County of _____ Month of _____									
Line	Item	Amount	Amount	Amount	Amount	Amount	Amount	Amount	Amount
1	Salaries								
2	Wages								
3	Benefits								
4	Retirement								
5	Unemployment Insurance								
6	Health Insurance								
7	Dental Insurance								
8	Vision Insurance								
9	Life Insurance								
10	Disability Insurance								
11	Workers' Compensation								
12	Other Insurance								
13	Travel								
14	Per Diem								
15	Other								
16	Total								

Operating Recap Sheet

Superior Court, County of _____ Month of _____

100% Reimbursable Expenditures

Vendor Name	Description	Invoice #	Check/Warrant #	Date Paid	Amount
					Total
					0.00

Partially Reimbursable Expenditures

Vendor Name	Description	Invoice #	Check/Warrant #	Date Paid	Amount
					Total
					0.00

☐ % of reimbursement allowed

Total billable amount 0.00

** Total billable amount = total of 100% Reimbursable Expenditures + Adjusted total of partially Reimbursable Expenditures

AB 1058 Summary Sheet

AB 1058 Summary Sheet					
Category	Budget	Actual	Percent	Amount	Total
Salaries	1,500,000.00	1,500,000.00	100.00%	1,500,000.00	1,500,000.00
Wages	400,000.00	400,000.00	100.00%	400,000.00	400,000.00
Benefits	1,000,000.00	1,000,000.00	100.00%	1,000,000.00	1,000,000.00
Retirement	200,000.00	200,000.00	100.00%	200,000.00	200,000.00
Unemployment Insurance	100,000.00	100,000.00	100.00%	100,000.00	100,000.00
Health Insurance	500,000.00	500,000.00	100.00%	500,000.00	500,000.00
Dental Insurance	250,000.00	250,000.00	100.00%	250,000.00	250,000.00
Vision Insurance	100,000.00	100,000.00	100.00%	100,000.00	100,000.00
Life Insurance	50,000.00	50,000.00	100.00%	50,000.00	50,000.00
Disability Insurance	25,000.00	25,000.00	100.00%	25,000.00	25,000.00
Workers' Compensation	10,000.00	10,000.00	100.00%	10,000.00	10,000.00
Other Insurance	5,000.00	5,000.00	100.00%	5,000.00	5,000.00
Travel	10,000.00	10,000.00	100.00%	10,000.00	10,000.00
Per Diem	5,000.00	5,000.00	100.00%	5,000.00	5,000.00
Other	5,000.00	5,000.00	100.00%	5,000.00	5,000.00
Total Operating Expenditures	4,000,000.00	4,000,000.00	100.00%	4,000,000.00	4,000,000.00

44

AB 1058 Summary Sheet

Summary Sheet

AB 1058 SUMMARY SHEET
CHILD SUPPORT COMMISSIONER PROGRAM

FY 2009-2010

A	B	C	D	E
Categories	Budget	Previously Billed Expenses	Current Reporting Period Expenses	Total YTD Expenses
Salaries	1,500,000.00	1,500,000.00	30,000.00	1,530,000.00
Fringe Benefits	450,000.00	450,000.00	9,000.00	459,000.00
Total Personnel Expenditures	1,950,000.00	1,950,000.00	39,000.00	1,989,000.00
Indirect Costs 20.00%	390,000.00	390,000.00	7,800.00	397,800.00
Operating Expenses				
Contracted Commissioner/Facilitator	50,000.00	50,000.00	2,500.00	52,500.00
Court Reporters	5,000.00	500.00	100.00	600.00
Interpreters	400,000.00	300.00	100.00	400.00
Bailiff Services	50,000.00	15,000.00	12,000.00	27,000.00
Perimeter Security	25,000.00	1,000.00	500.00	1,500.00
Rent	15,000.00	2,000.00	2,000.00	4,000.00
Training	2,000.00	2,000.00	-	2,000.00
Other Direct Costs (supplies, communication, etc.)	5,000.00	1,000.00	500.00	1,500.00
Total Operating Expenditures	157,000.00	71,800.00	17,700.00	89,500.00
Total Expenditures	2,497,000.00	2,411,800.00	64,500.00	\$ 2,476,300.00

F	G	H	I	J
Funding Sources	Award Amount	Expenditures Applied From Prior Periods	Contract Balance Prior to Current Reporting Period	Current Period Reimbursement
Base Award	2,000,000.00	2,000,000.00		
Federal Drawdown Option Award	500,000.00	411,800.00	88,200.00	64,500.00
Federal Share 66%	330,000.00	271,788.00	58,212.00	42,570.00
Court Share 34%	170,000.00	140,012.00	29,988.00	21,930.00
Total Reimbursement				\$ 42,570.00

45

AB 1058 Invoice Face Sheet

AB 1058 Summary Sheet

Invoice Face Sheet

Summary Sheet

AB 1058 SUMMARY SHEET
CHILD SUPPORT COMMISSIONER PROGRAM

FY 2009-2010

A	B	C	D	E
Categories	Budget	Previously Billed Expenses	Current Reporting Period Expenses	Total YTD Expenses
Salaries	1,500,000.00	1,500,000.00	30,000.00	1,530,000.00
Fringe Benefits	450,000.00	450,000.00	9,000.00	459,000.00
Total Personnel Expenditures	1,950,000.00	1,950,000.00	39,000.00	1,989,000.00
Indirect Costs 20.00%	390,000.00	390,000.00	7,800.00	397,800.00
Operating Expenses				
Contracted Commissioner/Facilitator	50,000.00	50,000.00	2,500.00	52,500.00
Court Reporters	5,000.00	500.00	100.00	600.00
Interpreters	400,000.00	300.00	100.00	400.00
Bailiff Services	50,000.00	15,000.00	12,000.00	27,000.00
Perimeter Security	25,000.00	1,000.00	500.00	1,500.00
Rent	15,000.00	2,000.00	2,000.00	4,000.00
Training	2,000.00	2,000.00	-	2,000.00
Other Direct Costs (supplies, communication, etc.)	5,000.00	1,000.00	500.00	1,500.00
Total Operating Expenditures	157,000.00	71,800.00	17,700.00	89,500.00
Total Expenditures	2,497,000.00	2,411,800.00	64,500.00	\$ 2,476,300.00

F	G	H	I	J
Funding Sources	Award Amount	Expenditures Applied From Prior Periods	Contract Balance Prior to Current Reporting Period	Current Period Reimbursement
Base Award	2,000,000.00	2,000,000.00		
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Federal Share 66%	330,000.00	271,788.00	58,212.00	42,570.00
Court Share 34%	170,000.00	140,012.00	29,988.00	21,930.00
Total Reimbursement				\$ 42,570.00

ADMINISTRATIVE OFFICE
OF THE COURTS

STATE OF CALIFORNIA
ADD-1 INVOICE (REV 1-1-09)

JUDICIAL COUNCIL OF CALIFORNIA

INVOICE

MAIL TO: ADMINISTRATIVE OFFICE OF THE COURTS
GRANT ACCOUNTING
400 GOLDEN GATE AVENUE, 15th FLOOR
SAN FRANCISCO, CA 94102

SUPERIOR COURT OF CALIFORNIA, COUNTY: _____

ADDRESS: _____

CONTRACT NUMBER: _____

BILLING PERIOD: _____ July-09

PROGRAM TITLE: **Child Support Commissioner Program**

PROGRAM PERIOD: **July 1, 2009 - June 30, 2010**

ACCOUNTING CONTACT: _____ PHONE NUMBER: _____

E-MAIL ADDRESS: _____ FAX NUMBER: _____

PROGRAM EXPENDITURES (FUND REQUESTED)	
CATEGORY	AMOUNT
PERSONNEL (Salaries & Benefits)	39,000.00
OPERATING EXPENSES & EQUIPMENT	17,700.00
INDIRECT COSTS	7,800.00
TOTAL EXPENDITURES	64,500.00
TOTAL REIMBURSABLE AMOUNT	\$ 42,570.00

CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE AMOUNT BILLED ABOVE IS TRUE AND CORRECT IN ACCORDANCE WITH THE CONTRACT.

COURT OFFICIAL (NAME & TITLE): _____

SIGNATURE: _____ DATE: _____

46

AB 1058 Invoice Face Sheet

STATE OF CALIFORNIA AOC-1-INVOICE (REV 07-09)		JUDICIAL COUNCIL OF CALIFORNIA	
INVOICE		MAIL TO:	ADMINISTRATIVE OFFICE OF THE COURTS GRANT ACCOUNTING 455 GOLDEN GATE AVENUE, 7th FLOOR SAN FRANCISCO, CA 94102
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <input type="text"/>		CONTRACT NUMBER:	<input type="text"/>
ADDRESS: <input type="text"/>		BILLING PERIOD:	<input type="text" value="July-09"/>
PROGRAM TITLE: <input type="text" value="Child Support Commissioner Program"/>			
PROGRAM PERIOD: <input type="text" value="July 1, 2009 - June 30, 2010"/>			
ACCOUNTING CONTACT: <input type="text"/>		PHONE NUMBER:	<input type="text"/>
E-MAIL ADDRESS: <input type="text"/>		FAX NUMBER:	<input type="text"/>
PROGRAM EXPENDITURES (FUND REQUESTED)			
CATEGORY		AMOUNT	
PERSONNEL (Salaries & Benefits)		39,000.00	
OPERATING EXPENSES & EQUIPMENT		17,700.00	
INDIRECT COSTS		7,800.00	
TOTAL EXPENDITURES		64,500.00	
TOTAL REIMBURSABLE AMOUNT		\$ 42,570.00	
CERTIFICATION: I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE AMOUNT BILLED ABOVE IS TRUE AND CORRECT IN ACCORDANCE WITH THE CONTRACT.			
COURT OFFICIAL (NAME & TITLE): <input type="text"/>			
SIGNATURE: <input type="text"/>		DATE	<input type="text"/>

47

Request for Program Modifications and Enhancements

48

Program versus Finance

Program

- Key Personnel changes
- Facility changes: lease and relocation
- Funding level changes
- FLFED database reporting
- Leave charges: buy backs and cash outs

Finance

- Budget modifications
- Finance reporting inquiries
- Accounting Forms
- Leave charges: buy backs and cash outs
- Reimbursement inquiries



49

Program Issues

- Creating new budget line item for material changes
- Moderate to high impact
- Affect other courts
- Changes not within funding level
- Approval process – long term
 - Program Manager
 - Finance Review
 - Committee Review
 - Judicial Review



50

Finance Issues

- Creating new budget line item for minor changes
- Budget category change
- Low impact
- Affect only one court
- Changes within funding level
- Approval process – short term
 - Program Manager
 - Finance Review



ADMINISTRATIVE OFFICE
OF THE COURTS

51

Administrative/Grant Reporting Updates

- Sell-back, Cash out, unproductive time charges
- Furlough Reporting
- Bailiff/Security costs plans
- Post employment benefits
 - Retirement benefits
 - Medical benefits
 - Unemployment benefits



ADMINISTRATIVE OFFICE
OF THE COURTS

52

The seal of the Judicial Council of California is a circular emblem. It features a central shield with a balance scale, a book, and a laurel wreath. Above the shield is a banner with the word "EUREKA". The outer ring of the seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" at the top and "1926" at the bottom.

Court Security Changes

53

The seal of the Judicial Council of California is a circular emblem. It features a central shield with a balance scale, a book, and a laurel wreath. Above the shield is a banner with the word "EUREKA". The outer ring of the seal contains the text "JUDICIAL COUNCIL OF CALIFORNIA" at the top and "1926" at the bottom.

Roundtable Exercises

Start time 1:00

54

Roundtable Exercises

1. Assign Tables
2. Choose Topics
3. Group Discussion
4. Prepare for read-out



55

Roundtable Exercises

Topics:

- Direct versus indirect costs
- Bailiff and perimeter security allocation
- Employee reassignments/rotations
- Invoice cycle process
- Cost saving strategies/best practices
- Miscellaneous – your pick of topic

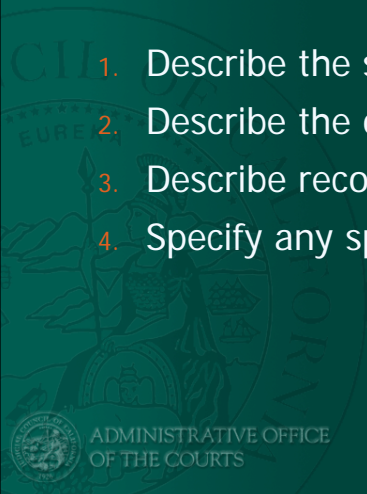


56

Roundtable Exercises

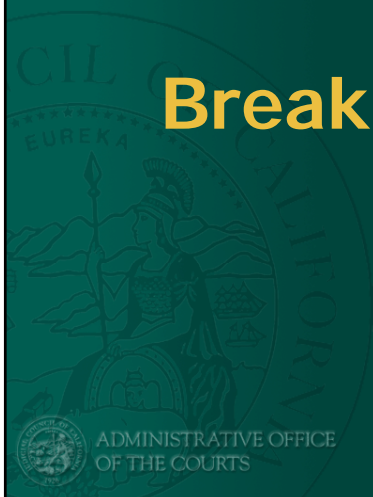
For each item listed :

1. Describe the situation
2. Describe the options available
3. Describe recommended approach
4. Specify any special considerations



57

Break 3:00 – 3:30



58

The seal of the Judicial Council of California is centered in the background. It is a circular emblem with the words "JUDICIAL COUNCIL OF CALIFORNIA" around the top and "1926" at the bottom. Inside the circle is a figure holding a torch, with the word "EUREKA" above it.

Roundtable Exercises Cont.

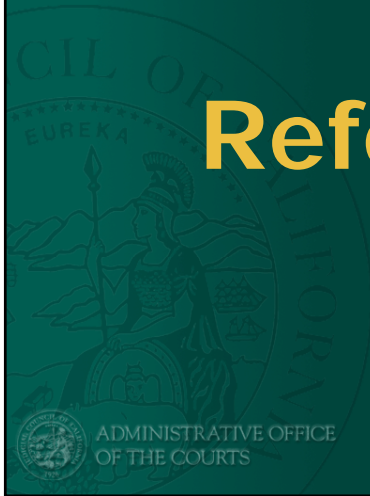
59

The seal of the Judicial Council of California is centered in the background. It is a circular emblem with the words "JUDICIAL COUNCIL OF CALIFORNIA" around the top and "1926" at the bottom. Inside the circle is a figure holding a torch, with the word "EUREKA" above it.

Q&A

60

References

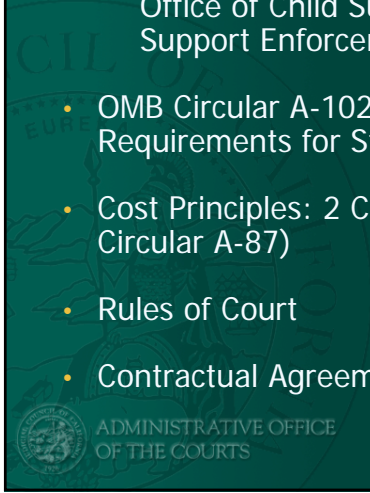


ADMINISTRATIVE OFFICE
OF THE COURTS

61

Grant Reporting Guidelines

- Codes of Federal Regulation
 - CFR Part 45, Subtitle B, Chapter III, Office of Child Support Enforcement (Child Support Enforcement Program)
- OMB Circular A-102 (Uniform Administrative Requirements for State and Local Govt. agencies)
- Cost Principles: 2 CFR 225 (formerly known as Circular A-87)
- Rules of Court
- Contractual Agreement between JCC and the Courts



ADMINISTRATIVE OFFICE
OF THE COURTS

62

Invoicing Cycle

- Prior month expenses billing due 20th of the following month
- Mail to AOC
- Review and approval process
- AOC AP process (batching/claim schedules)
- Request reimbursement from DCSS
- Release claim schedule to SCO
- SCO sends payment to court



63

Invoicing Cycle

- Factors that may delay reimbursement:
 - Errors/Error Treatment
 - Omissions
 - Late Submissions
 - Vacations
 - Monetary Thresholds
 - Budget Implications
 - Cash Implications
 - Contract Implications
 - Court Issues



64

AOC Contact Information:

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Supervising Attorney/Program Manager

Center for Families, Children & the Courts

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Grant Accountant

Finance, Grant Accounting Unit

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E-mail mimi.ly@jud.ca.gov

Paul Fontaine

Supervising Accountant

Finance, Grant Accounting Unit

Phone: (415) 865-7785

E-mail: paul.fontaine@jud.ca.gov



ADMINISTRATIVE OFFICE
OF THE COURTS

AB 1058 Child Support Commissioner and Family Law Facilitator Program

INVOICE REPORTING INSTRUCTIONS
FISCAL YEAR 2010-2011

OCTOBER 2009



ADMINISTRATIVE OFFICE
OF THE COURTS

CENTER FOR FAMILIES, CHILDREN
& THE COURTS

AB 1058 Program Overview

Background

The Assembly Bill 1058 program is a legislatively mandated program implemented in 1996 to provide a cost-effective, expedited, and accessible process in the courts for establishing and enforcing child support orders in cases being enforced by local child support agencies. This mandate requires each superior court to have a child support commissioner to hear title IV-D child support cases. Title IV-D of the Social Security Act (42 U.S.C. § 601 et seq.) provides that each state shall establish and enforce support orders when public assistance has been expended or on a request for services by a parent.

The two major elements of the AB 1058 program are the child support commissioner (CSC) and the family law facilitator (FLF) programs, both of which were established in each court. These programs provide an expedited process in the courts that is both accessible and cost-effective to families involved in child support cases.

The CSC component of the program provides judicial officers to hear child support cases, plus court staff to support them. The FLF component assists parents with child support issues by gaining meaningful access to the courts in a timely manner. The program was intended to make the processing of child support cases in the courts more efficient by making sure that parents obtained all the necessary forms and documentation before the hearing. When parents come better prepared to their hearings, judicial officers can process more cases in the time allotted.

Contracts and Fund Allocations

Funding for the AB 1058 CSC and FLF program, as well as the Judicial Council, Administrative Office of the Courts program-related administrative costs, is secured via an inter-agency agreement between the California Department of Child Support Services (DCSS) and the Judicial Council. The funding is 66 percent federal title IV-D funds and 34 percent state general funds, subject to annual state budget appropriations.

The Judicial Council is mandated to establish procedures for distributing funds to the courts for CSCs and FLFs. Funds are allocated to the local courts via standard agreements between the Judicial Council and the courts. The allocation amounts are based on a formula that has been approved by both the Judicial Council and the Legislature. Separate contracts are executed for the CSC and the FLF components of the program. Funds allocated to the FLF component may not be transferred to the CSC component and vice versa. The funding and contract covers a state fiscal year, which runs from July 1 through June 30. Under the federal guidelines, any funds left unspent during the fiscal year revert to the state General Fund and cannot be used in subsequent years.

Midyear Fund Reallocation

The AB 1058 funding procedures include a midyear reallocation process. Funds that are allocated to the courts at the beginning of the fiscal year may be amended during this midyear process. The Judicial Council can use this process to move funds from courts that will not spend their full allocation to courts that need additional funding. Funds cannot be allocated across categories; for example, funds from the CSC component of the program in one court cannot be moved to the FLF component of the program in that or any other court.

Each year, the AOC sends a questionnaire to the courts for both the CSC and the FLF components of the program. The courts are asked to respond to a series of questions regarding the anticipated spending needs of that court for each component. Courts are asked to indicate if they anticipate spending less than their full allocation, will need additional funds, or will spend their full allocation but will not need additional funding. The questionnaire asks for details to support the anticipated level of spending if it is inconsistent with past spending history. If a court does not anticipate spending the full amount of the contract, it is strongly urged to return those funds to the AOC to be redistributed. After the completed questionnaires are received by the AOC, staff determines the amount of funds available for reallocation. Additions and reductions to the contracts are made by amendments to the standard agreements.

Determining which courts will receive the returned funds is done by analyzing the information provided by the courts on the midyear reallocation questionnaire, projections based on invoices received by the AOC, and past program spending history. The purpose of the reallocation is to fund one-time or special projects. While it can be a method of fine-tuning a contract, it is not intended to address an ongoing financial need such as an increase in the number of permanent employees.

Any contract amendments made as part of the midyear reallocation process are one-time adjustments for that fiscal year only. The following fiscal year the contract amounts revert to the beginning base allocation for the prior fiscal year. Should a court find that it consistently under spends its contract, it has the option of voluntarily reducing the contract amount. If the AOC determines that a court historically under spends but does not return the funds, the base allocation for that court may be reduced.

If a court's base allocation has been reduced by the AOC, the court can request that the contract amount be restored to the original base allocation. This request would be considered part of the midyear reallocation process.

The court may also request a permanent increase to its base allocation. It may submit supporting documentation for a permanent increase at the same time as the midyear reallocation, but such requests must be clearly labeled and will depend on the availability of funds.

Allowable Costs

Costs charged to the program must be necessary, reasonable, allocable, and legal under state and local law, conform to federal law and grant terms. The expenses must be consistently treated and in accordance with GAAP.

Allowable direct costs are expenses that can be easily identified and specifically incurred for the purpose of the AB 1058 program.

1) Personnel Costs

- **Salaries** – May include wages, salaries, or special compensation provided the cost for the individual employee is (a) reasonable for the services rendered, and (b) follows an

appointment made in accordance with state or local laws and rules and meets federal requirements

- **Overtime wages** related to the program matters can be billed to the grant proportionately whether paid or unpaid. For example; if an employee works 50 hours, although he is salaried to work 40 hours per week, the employee must report all 50 hours. If 10 hours were worked on project A, while 40 were worked on project B, project A would account for 20% of the effort and project B would account for 80%. You have to account for total time worked by the employee to determine the percentages.
- **Fringe Benefits** are divided into the following categories: regular fringe benefits and benefit hours.
 - Regular fringe benefits are employer-paid social security and Medicare, state disability insurance, health insurance, workers' compensation, and retirement benefits. These benefits should be reported by using actual figures from court payroll records.
 - Benefit hours are the cost of fringe benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, sick leave, holidays, court leave, military leave, and other similar benefits. Court shall seek AOC approval for extended leave treatment.

Note: Costs for authorized absences are only reimbursable up to the amount earned during the term of the grant.

If an employee is on leave and another employee fills in temporarily, the reimbursable hours of the replacement/temporary employee can be charged to the grant as salaries in lieu of the permanent employee. Note, the cost is reflected only for one person. Appropriate benefits and indirect costs for these employees are also reimbursable.

- 2) **Travel Expenses** are direct expenses for grant related travel incurred by personnel identified in the budget. Allowable costs include transportation, subsistence, and lodging, incurred in accordance with the courts documented travel policies.
- 3) **Pre-approved Training/Conference** – The AB 1058 program funding can only be used for reasonable and essential short term training. There is a limit of one general family law refresher course per person per year, in addition to the annual training held by the AOC and the 1058 FLF mid-year training and CSC roundtable.
- 4) **Contractual Services** – Any professional services and associated costs necessary to complete grant objectives that are not available through the court and require contractual agreements in accordance with the court's normal procurement procedures.

- 5) **Materials and office supplies** – cost incurred for materials, supplies, and fabricated parts necessary for program purposes.
- 6) **Minor Remodeling**- Written approval of the AOC’s AB 1058 program manager must be requested and obtained before beginning any remodeling project or renting of new space, regardless of the anticipated expenditure amount, so the program manager can determine whether the expenses are reimbursable. Requests must be received no later than January 31 for work to be completed in the current fiscal year, absent exceptional circumstances and approval of a later submission by the AB 1058 program manager. Requests for remodeling must include a letter of justification stating the reason for remodeling and certifying that there are no structural or foundation changes. Any reimbursements for remodeling must include all purchase documentation, including the bidding process used to select a vendor, floor plans, estimates, and diagrams of the work to be performed. The request for approval may be submitted by e-mail.
- 7) **Equipment Purchases** - All equipment purchases of \$5,000 and above require prior written approval from the AOC’s AB 1058 program manager.

Indirect costs are those incurred for a common or joint purpose benefiting more than one cost objective and cannot be easily identified to a cost objective. Allowable indirect costs shall be reimbursed using the AOC approved indirect cost rate at actual up to the maximum percentage of 20%.

Unallowable Costs

Items that cannot be claimed for reimbursement are those not allowed by rule 10.810 of the California Rules of Court and the Code of Federal Regulations. These include, but are not limited to, the costs of counsel for indigent defendants, judges’ salaries and fringe benefits, compensation of support staff of judges, training not directly related to the AB 1058 program, bottled water, and construction and major renovation. Also, time spent on matters of domestic violence, custody, and visitation (including custody and visitation investigation, mediation, and evaluation) are not reimbursable.

Preparation of Reimbursement Claims

AB 1058 Reporting Forms

The AB 1058 CSC and FLF program is a reimbursement grant, which means that all expenses are incurred and paid by the court before submission for reimbursement by the AOC. All courts must use the mandatory invoice to request reimbursement from the AOC. Invoices are due to the AOC by the 20th day of each month.

The standard agreement between the Judicial Council and the court provides the guidelines by which claims for reimbursement are to be prepared and submitted. These guidelines must comply with state and federal regulations, policies, and procedures. Standard mandatory reporting forms for both the CSC and the FLF components of the program consist of an invoice face sheet, program summary sheet, time sheet, contractor activity log, payroll summary sheet, and

operating expense recap sheet. Claims should be prepared using the agency's accounting records and based only on recorded costs for the period covered.

AB 1058 Timesheet

Time and effort charged to the AB 1058 CSC and FLF program must be accurately documented. A time distribution report is required for compensation of personal services. Court employees may record their time and effort spent on the program on the AB 1058 Timesheet form. Contracted personnel such as; contracted CSCs or FLFs, court reporters, interpreters, security personnel, and agency temporary staff must also submit a time study report. The time distribution report and contractor activity log must account for 100 percent of compensated hours, regardless of whether or not the time is reimbursable by the grant. The court shall submit copies of timesheets and contractor activity log to the AOC with each invoice and retain the original copy at the courthouse.

Key standards that are present in all OMB cost principle circulars on time and effort reporting are:

- Reflect an after-the-fact determination of the actual activity of each employee;
- Full disclosure – must account for the total (100 percent) activity for which each employee is compensated;
- Be prepared at least monthly and coincide with one or more pay periods; and
- Credible endorsement – timesheets must be signed by a qualified person familiar with the effort expended to endorse the document prepared.

CSC Program time reporting categories:

- Title IV-D hours;
- Other hours;
- Benefit hours

FLF Program time reporting categories:

- Title IV-D hours;
- Outreach hours;
- Other hours;
- Benefit hours

Definition of Hours Worked

Title IV-D hours are those spent working on child support, paternity, spousal support when there is also a child support order, and health insurance matters related to a case open at the local child support agency.

Outreach hours (reimbursable non-Title IV-D support matters) are those spent working on child support, paternity, companion spousal support, and health insurance matters for persons who have not yet applied for title IV-D services with the local child support agency. Reimbursable activities that may be included in outreach hours include providing information and referral services, distributing court forms, and explaining court processes.

Other hours are those spent on all other issues, including, but not limited to, domestic violence, custody and visitation, and dissolution of marriage issues other than support. Time spent on these issues is non-reimbursable whether or not there is an open support case with the local child support agency. It is at the discretion of court to label program names on timesheet or combine other hours as “non-reimbursable hours”

Benefit hours are paid leave hours or such as vacation, annual leave, sick leave, holidays, court leave, and military leave.

AB 1058 Payroll Summary

The court will submit the payroll summary to support requests for reimbursement of salaries and benefits. The spreadsheet is set up to report and calculate 100 percent of the hours worked and the benefits hours used by each employee. Federal regulations require that *all* hours worked by an employee must be accounted for, regardless of whether or not they are reimbursable. This includes regular hours worked as well as benefit hours used.

When completing the spreadsheet, fill in the columns labeled Name, Job Title/Position, Gross Salary, Actual Benefits, AB 1058 Program Hours, and Non-AB 1058 Program Hours. All other calculations are automatic as a result of built-in formulas.

The CSC and FLF components have the same basic procedure for reporting payroll. The only exception occurs in the types of hours worked that can be claimed for reimbursement. The CSC program will reimburse only time spent on providing services on title IV-D matters and the FLF program will reimburse time spent on providing services on title IV-D support matters and outreach activities.

The payroll information will be submitted on the payroll summary sheet and must bear a signed certification, as well as the **original signature (in BLUE ink)** of the court official responsible for approving the invoice. The court designates this person.

The certification reads as follows:

“I hereby certify under of penalty perjury that the information provided here accurately represents official records and is in compliance with the program contract.”

AB 1058 Operating Expense Recap Sheet

The operating expense recap sheet is separated into two sections: 100 percent reimbursable expenditures and partially reimbursable expenditures. When preparing this form, begin by sorting your invoices and journal entries into those two categories.

All invoices and journal entries will be listed on the form as follows:

Vendor Name/Description/Invoice #/Check or Warrant #/Date Paid/Amount

To complete the 100 percent reimbursable portion of the sheet, list the applicable invoices, including the information listed above.

To complete the partially reimbursable section, list the invoices as above. Use the total dollar amount of the invoice or the amount billable to the program. The Excel spreadsheet will automatically tally the categories, calculate the dollar amount of the partially reimbursable invoices using the percentage provided to the court, and arrive at the total amount to be brought forward onto the invoice face sheet.

In some cases, a reimbursable program expense will be included on an invoice or journal entry with those of other departments or with expenditures that are not reimbursable. If the expenses are part of a group of items, indicate which items are program related, calculate the total, and list that amount on the bottom portion of the sheet. If the expense is one that is divided between departments, first determine what portion of the expense would be billed to the program if it could be billed at 100 percent.

Example: Your court has a purchase totaling \$2,000. The CSC program represents 10 percent of the total. The amount that would be billed if you could bill for 100 percent of the purchase would be \$200. List the purchase under the section of partially reimbursable expenditures as \$200. The spreadsheet will automatically calculate the billable amount, based on your court's percentage. The form is broken into two sections: expenditures that are claimed at 100 percent and those that are partially reimbursable.

Expenditures specific to the program are 100 percent reimbursable, such as:

- The annual AB 1058 training conference;
- Contract court interpreter fees—title IV-D cases only;
- Contract court reporter fees—title IV-D cases only;
- Bailiff hours—in alignment with the commissioner's reimbursable title IV-D hours;
- Payments to contract facilitators or commissioners; and
- Agency temporary help—hours worked on title IV-D only.

Other expenditures are to be claimed at a percentage of program reimbursable hours. These represent costs shared with other departments of the court or with other court employees not working on title IV-D or outreach hours. Items claimed at a percentage are such things as:

- Office supplies;
- Facilities charges;
- Perimeter security;
- Rented equipment—copy machines and copy charges; and
- Communications charges—telephone and Internet service.

Each court might have other items that would fall under either of the above categories. These are partial lists and are not intended to limit the types of expenditures available for reimbursement. Any expenditures being claimed as 100 percent reimbursable that are not on the above list must have the required backup (as explained below) and a brief explanation of why that charge should be fully reimbursed. In some cases, invoices might be claimed at a different percentage than that assigned by the AOC. For example, an item might be designated for use by only one individual working on the program. In that instance, the percentage of reimbursable time for that individual

would apply to the item. When in doubt, contact the AOC's AB 1058 grant accounting staff to discuss the best method of reporting an expense.

Where Did the Percentage Come From?

The payroll summary sheet calculates a percentage of reimbursable hours worked to total hours worked by each employee. The AOC has provided a program percentage for operating expense reporting, which appears on the bottom of the recap sheet next to “% of reimbursement allowed.” This percentage was originally calculated using an average of the percentages taken from a minimum of the first six months of payroll summaries for FY 2002–2003. The CSC and FLF components of the program each have a specific designated percentage, which will be updated annually.

Some courts have contract CSCs or FLFs, as well as support staff who are court employees. In this situation, the AOC has calculated a percentage based on staff hours that would be used to claim partially reimbursable expenditures.

If the FLF is a contractor whose agreement with the court requires the FLF to cover all expenses, then the percentage calculation does not apply.

In the event that court staff do not agree with the percentage assigned, they may request a review of the percentage and submit it to the AOC's AB 1058 program manager in writing (e-mail is preferred). Please include an explanation of why you think the percentage is not adequate, a proposal of what percentage you think should apply, and the methods used for determining this percentage. The AOC's AB 1058 program manager and grant accounting staff will review the request and proposal and determine if the percentage should be revised.

Alternative to Separating the Costs

Each court has the option of claiming operating expenses at the partially reimbursable percentage rate only. The benefit of this is the time saved in not separating the costs and listing them in two categories. All other requirements for reporting still apply. Note, however, that choosing this method of claiming operating expenses will result in a lower amount of reimbursement.

What Kind of Backup Will You Need When Reporting?

Each submission for reimbursement must include the mandatory operating expense recap sheet. When submitting an invoice for reimbursement, you must include a copy of each expense invoice or journal entry and that entry's supporting documentation. Each expenditure must have adequate backup to substantiate the claim. Each invoice must have the check or warrant number and date paid written on it. Journal entries or vouchers must show the entry number and date as well as a description of the charge and the dates covered by that entry. Journal entries for security costs or large purchases must include adequate information to determine what the charges include.

Invoices may be claimed as prior year expenses as long as the service or order date was within the contract period of July 1 through June 30. Invoices submitted at the end of the contract period/fiscal year must show clearly that the item was ordered before June 30. If the invoice does not list an order date, include a copy of the purchase order indicating that the funds were encumbered prior to fiscal year end and that the order date was June 30 or earlier. Invoices

submitted after the June invoice are considered supplemental and should be titled “June Supplemental” on the invoice face sheet.

It is not necessary to submit supplemental invoices during the contract period. Simply include the expense on the following invoice. Expenditures can be submitted for reimbursement at any time during the contract period provided that they are not paying in advance for an item.

The final invoice submitted for payment on a contract should be labeled “Final Invoice.” On payment of the final invoice, the contract will be closed and no further invoices will be paid against that contract.

AB 1058 Program Summary Sheet Instructions

The AB 1058 Summary sheet shows the detailed budget estimates for each line item cost and actual expenditures billed to date in the current grant period. Costs are divided into several categories:

- a) Personnel Costs – Enter the estimated total salaries and benefits costs of personnel working on the program.
- b) Indirect Cost – Effective FY 2006–2007, the AOC *Trial Court Financial Policies and Procedures Manual*, FIN 16.02, Indirect Cost Rate Proposal (ICRP), states that each court is to complete and submit an indirect cost rate proposal to the AOC for review and approval. On approval of the indirect rate, the court may charge the program for reasonable indirect costs. The approved rate, not to exceed 20%, is charged against the combined total salaries and benefits.
- c) Contractual Services – Enter the estimated costs of contractual services to be provided for the program (i.e. contracted commissioner, facilitator, bailiff, interpreter, court reporter)
- d) Travel Expense – Enter the estimated cost of travel related to the program.
- e) Rent – Enter the estimated cost of rent related to the program.
- f) Equipment – Enter the estimated cost of each item of equipment to be purchased. Items that have a useful life of more than one year and cost \$5,000 or more should be included in this category. The total costs of equipment includes modifications, attachments, or auxiliary apparatus necessary to make it usable for the program purposes including tax, shipping, installation, excluding any discounts.
- g) Other Direct Costs – This category should include the line item titles of any other direct grant expenses not covered in previous categories including services not requiring contractual agreements and minor equipment. The following are examples of line items that may apply: office supplies, printing expenses, communication expenses.
- h) Lists the actual expenses incurred in the line budgeted categories.

- i) Enter the base amount and federal option amount awarded for the current fiscal year. The built in formulas will calculate the total reimbursement amount. It will show the calculation breakdown as follows:
- **Expenditures Applied Toward Base Amount** – The amount of current month expenditures applied to base allocation, which is 100 percent reimbursable.
 - **Expenditures Applied Toward Federal Option** – The amount of current month expenditures applied to federal option, which requires a court match of 34 percent to drawdown federal share of 66 percent of expenditures to be reimbursed.
 - **Trial Court Share** – Calculation of the 34 percent court share of the amount applied to federal option.
 - **Federal Share** – Calculation of the 66 percent federal share of the amount applied to federal option.
 - **Total Reimbursement Amount** – Total reimbursement amount to court, which includes the expenditures applied toward base amount and the federal share of 66 percent.

AB 1058 Program Invoice Face Sheet Instructions

Below are the steps for properly completing the invoice face sheet.

Step 1: To request the required invoice forms, please e-mail mimi.ly@jud.ca.gov. The forms are created as Microsoft Excel worksheets.

Step 2: Provide the following information on the invoice face sheet:

1. **Invoice** – The word “**Invoice**” and a program title “**Child Support Commissioner Program**” or “**Family Law Facilitator Program**” and the **fiscal year** must appear at the top of the invoice.
2. **Remittance Address** – Name and address of the court if not included on the court letterhead. The address reported is where the court the payments should be sent.
3. **Accounting Contact Person** – The contact information of the person who will be able to answer questions regarding the AB 1058 invoices.
4. **Bill To** – The full address of the Judicial Council of California must appear on the face of the invoice. The State Controller’s Office will not pay any invoices received without this information.
5. **Contract #** – The contract number for the fiscal year and component of the program. Contract numbers are different for each fiscal year and component.

6. **Invoice for the Month of _____** – The month of the payroll or expenses being submitted. The contract allows up to six months for the submission of invoices for the prior fiscal year. Any invoices submitted after the June invoice are considered supplemental and should be titled June Supplemental. Be sure to use the contract number for the correct fiscal year when submitting supplemental invoices. The final invoice submitted for the fiscal year should be labeled “Final Invoice” and should be received by the AOC no later than December 31. On payment of the final invoice, the contract will be closed and no further invoices will be paid against that contract.
7. **Categories** – Allowable expenses:
 - **Personnel expenses** are the program salaries and fringe benefits reported on the mandatory payroll summary sheet. This form has separate preparation instructions. Please review the attached “AB 1058 Program Payroll Reporting Instructions” before completing the invoice.
 - **Operating expenses and equipment** are reported using the mandatory operating expense recap sheet. This form has separate preparation instructions. Please review the attached “AB 1058 Program Operating Expense Recap Sheet Instructions” before completing the invoice.
 - **Court indirect costs:** Effective FY 2006–2007, the AOC *Trial Court Financial Policies and Procedures Manual*, FIN 16.02, Indirect Cost Rate Proposal (ICRP), states that each court is to complete and submit an indirect cost rate proposal to the AOC for review and approval. On approval of the indirect rate, the court may charge the program for reasonable indirect costs. The approved rate is charged against the combined total salaries and benefits, as listed on the invoice face sheet.
 - **Total Expenditures** is the total expenses incurred for the current billing period. It is the sum of personnel, operating and indirect costs reported in the above categories.
 - **Total Reimbursable amount** is the total reimbursement from the base funding and the federal share of the federal drawdown option. This amount should match the “total reimbursement amount” reflected in the summary sheet.

Step 3: Print out the invoice forms.

Step 4: The authorized court official must approve and sign the invoice. **Please be sure to sign all invoices in BLUE ink to indicate original.**

The following certification language must appear on the invoice:

“I certify under penalty of perjury that the amount billed above is true and accurate in accordance with the contract.”

Please note: No invoices will be paid without this certification language. Incomplete or unsigned invoices will be returned to the court for completion.

Step 5: Mail the original invoice with supporting documentation and keep a copy for your records.

General Notes for Preparing Invoices

- First sort out the backup documentation, such as invoices.
- List the expenditures in the appropriate categories.
- Be sure to include a check or warrant number or a journal entry number.
- Check your figures. Make sure that the numbers add up.
- Make sure that every line item has backup and that it is in order according to the operating expense recap sheet. Backup that is missing or out of order slows the audit process and can delay payment of invoices.
- List the total amount of operating expenses claimed on the invoice sheet. Be sure that the total is brought forward correctly. The forms are all in Excel and can be linked, bringing the totals forward automatically.
- Once the invoice categories are filled in, run a calculator tape of the numbers. Different calculators and computers round the numbers differently. If the numbers don't add up, then correct the bottom line, even if it's only a one-cent difference. It is not necessary to include the calculator tape when submitting the invoice for reimbursement; running a tape is done simply to double-check that the amounts listed on the invoice add up.
- Check for original signatures on all pages that require them. Only original signatures will be accepted on the invoice face sheet and payroll summary sheet. Please sign in **BLUE** ink to designate the document as an original.
- Be sure the invoice sheet is titled "Invoice" and specifies either the CSC program or the FLF program and the fiscal year as it appears on the contract.
- Verify that the contract number listed is the correct one for the fiscal year and component of the program.
- If the backup for an item is several pages long, please do **NOT** staple the groups of pages.
- Please copy any small or odd-size invoices onto 8½" x 11" sheets. Do not submit invoices or backup on legal-size paper.

STATE OF CALIFORNIA
AOC-1-INVOICE (REV 07-09)

JUDICIAL COUNCIL OF CALIFORNIA

INVOICE

MAIL TO:

ADMINISTRATIVE OFFICE OF THE COURTS
GRANT ACCOUNTING
455 GOLDEN GATE AVENUE, 7th FLOOR
SAN FRANCISCO, CA 94102

SUPERIOR COURT OF CALIFORNIA, COUNTY OF	
ADDRESS:	

CONTRACT NUMBER:	
BILLING PERIOD:	

PROGRAM TITLE:	
PROGRAM PERIOD:	

ACCOUNTING CONTACT:		PHONE NUMBER:	
E-MAIL ADDRESS:		FAX NUMBER:	

PROGRAM EXPENDITURES (FUND REQUESTED)	
CATEGORY	AMOUNT
PERSONNEL (Salaries & Benefits)	-
OPERATING EXPENSES & EQUIPMENT	-
INDIRECT COSTS	-
TOTAL EXPENDITURES	-
TOTAL REIMBURSABLE AMOUNT	\$ -

CERTIFICATION:	I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE AMOUNT BILLED ABOVE IS TRUE AND CORRECT IN ACCORDANCE WITH THE CONTRACT.
COURT OFFICIAL (NAME & TITLE) :	
SIGNATURE:	DATE

FOR AOC GRANT ACCOUNTING USE ONLY			
REC'D:	PROGRAM:	CONTRACT NO.:	
INVOICE DATE:	INVOICE NO.:	AMOUNT: \$	
PROGRAM MANAGER APPROVAL		DATE	

AOC Invoice Instructions

ENTER INFORMATION ON SHADED AREAS ONLY. ORIGINAL SIGNED INVOICE IS REQUIRED TO PROCESS THE CLAIM FOR PAYMENT (USE BLUE INK). ALTERED FORM WILL NOT BE PROCESSED FOR PAYMENT.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF:

Enter county name.

REMITTANCE ADDRESS:

Enter court address where the payment is to be sent.

CONTRACT NUMBER:

Enter grant contract number as it appears on the contract.

BILLING PERIOD:

Enter billing period.

PROGRAM TITLE:

Enter program title as it appears on the contract.

PROGRAM PERIOD:

Enter the duration of the contract term. i.e.: July 1, 2009 through June 30, 2010.

COURT ACCOUNTING CONTACT:

Enter court accounting contact person's name who will be able to answer billing questions.

PHONE NUMBER:

Enter court accounting contact person's phone number.

E-MAIL ADDRESS:

Enter court accounting contact person's e-mail address.

FAX NUMBER:

Enter court accounting contact person's fax number.

PERSONNEL:

Enter total costs of personnel services claimed for this billing period.

OPERATING EXPENSES & EQUIPMENT:

Enter costs of all operating expenses claimed for this billing period.

INDIRECT COSTS:

Enter overhead costs claimed for this billing period.

TOTAL EXPENDITURES:

Enter total sum of all the above categories.

TOTAL REIMBURSABLE AMOUNT:

Enter the "total reimbursement" amount from Summary sheet.

CERTIFICATION:

The invoice includes the following required certification: "I certify under penalty of perjury that the amount billed above is true and correct in accordance with the contract." This certification may not be removed or modified.

COURT OFFICIAL'S NAME/TITLE AND SIGNATURE:

Enter an authorized court official's name and title who is authorized to sign the invoice.

DATE:

Enter the date the invoice is signed.

A	B	C	D	E
Categories	Budget	Previously Billed Expenses	Current Reporting Period Expenses	Total YTD Expenses
Salaries				-
Fringe Benefits				-
Total Personnel Expenditures	-	-	-	-
Indirect Costs	20.00%			-
Operating Expenses				
Contracted Commissioner/Facilitator				-
Court Reporters				-
Interpreters				-
Training				-
Perimeter Security				-
Rent				-
Other Direct Costs (supplies, communication, etc.)				-
Total Operating Expenditures	-	-	-	-
Total Expenditures	-	-	-	\$ -

F	G	H	I	J
Funding Sources	Award Amount	Expenditures Applied From Prior Periods Expenses	Contract Balance Prior to Current Reporting Period	Current Period Reimbursement
Base Award		-	-	-
Federal Drawdown Option Award		-	-	-
Federal Share 66%		-	-	-
Court Share 34%		-	-	-
Total Reimbursement				\$ -

AB1058 Summary Sheet Instructions

Column A:

List of itemized expenditures

Column B:

Enter budget figures from Exhibit F (budget page) of current contract between AOC and Court.

Column C:

Enter total expenditures billed prior to current billing for the categories listed

Column D:

Enter expenditures being billed for current period

Column E:

Year to date total expenditures billed to program. (Built in formula to add columns C and D)

Column F:

Breakdown of funding sources - Base award and Federal Drawdown Option Award

Column G:

Enter award amounts for current contract period

Column H:

Breakdown of expenditures previously applied to base and federal drawdown option awards. (Built in formula to distribute expenditures to base and federal option awards)

Column I:

Contract balance prior to current reporting period (Built in formula to calculate remaining balance to apply current period expenditures)

Column J:

Breakdown of current period reimbursable expenditures. The total reimbursable amount should be carried forward to invoice face sheet. (Built in formula to calculate total reimbursable expenditures)

PAYROLL SUMMARY SHEET

PROGRAM TITLE: FAMILY LAW FACILITATOR PROGRAM

FISCAL YEAR: 2010-2011

REPORTING PERIOD: FROM:

TO:

A	B	C	D	E	F	G	H=F+G	I	J=H+I	K=F/H	L=D/J*F	M=E/J*(F+N)	N=F/H*I	O=D/J*N	P=M+O	Q=L+P	R=D+E-Q
Item No.	Name	Job Title	Gross Pay	Gross Benefits	Program Hours	Non Program Hours	Total Hours Worked	Benefit Hours	Total Paid Hours	% of Program Hours of Productive Time	Program Pay for Worked Hrs	Reimbursable Employer Paid Benefits	Reimbursable Benefit Hours	Benefit Hours Amount	Total Program Fringe Benefits	Total Prog Sal & Ben	Total Non Prog Sal & Ben
1							-		-	0.00%	-	-	-	-	-	-	-
2							-		-	0.00%	-	-	-	-	-	-	-
3							-		-	0.00%	-	-	-	-	-	-	-
4							-		-	0.00%	-	-	-	-	-	-	-
5							-		-	0.00%	-	-	-	-	-	-	-
6							-		-	0.00%	-	-	-	-	-	-	-
7							-		-	0.00%	-	-	-	-	-	-	-
8							-		-	0.00%	-	-	-	-	-	-	-
9							-		-	0.00%	-	-	-	-	-	-	-
10							-		-	0.00%	-	-	-	-	-	-	-
11							-		-	0.00%	-	-	-	-	-	-	-
12							-		-	0.00%	-	-	-	-	-	-	-
13							-		-	0.00%	-	-	-	-	-	-	-
14							-		-	0.00%	-	-	-	-	-	-	-
15							-		-	0.00%	-	-	-	-	-	-	-
16							-		-	0.00%	-	-	-	-	-	-	-
17							-		-	0.00%	-	-	-	-	-	-	-
18							-		-	0.00%	-	-	-	-	-	-	-
19							-		-	0.00%	-	-	-	-	-	-	-
20							-		-	0.00%	-	-	-	-	-	-	-
21							-		-	0.00%	-	-	-	-	-	-	-
22							-		-	0.00%	-	-	-	-	-	-	-
23							-		-	0.00%	-	-	-	-	-	-	-
24							-		-	0.00%	-	-	-	-	-	-	-
25							-		-	0.00%	-	-	-	-	-	-	-
26							-		-	0.00%	-	-	-	-	-	-	-
27							-		-	0.00%	-	-	-	-	-	-	-
28							-		-	0.00%	-	-	-	-	-	-	-
29							-		-	0.00%	-	-	-	-	-	-	-
30							-		-	0.00%	-	-	-	-	-	-	-
31							-		-	0.00%	-	-	-	-	-	-	-
32							-		-	0.00%	-	-	-	-	-	-	-
33							-		-	0.00%	-	-	-	-	-	-	-
34							-		-	0.00%	-	-	-	-	-	-	-
35							-		-	0.00%	-	-	-	-	-	-	-
36							-		-	0.00%	-	-	-	-	-	-	-
37							-		-	0.00%	-	-	-	-	-	-	-
38							-		-	0.00%	-	-	-	-	-	-	-
39							-		-	0.00%	-	-	-	-	-	-	-
40							-		-	0.00%	-	-	-	-	-	-	-
TOTALS			-	-	-	-	-	-	-	0.00%	-	-	-	-	-	-	-

CERTIFICATION: I hereby certify under penalty of perjury that the information provided here accurately represents official records and any leave time charged or authorized to any grant included does not exceed leave time earned while working on the grant.

AUTHORIZED OFFICIAL:

TITLE:

SIGNATURE

DATE

AOC Grant Payroll Summary Instructions

PROGRAM TITLE:

Enter the title of the program that is being reported.

REPORTING PERIOD:

Enter the pay period starting and ending dates.

NAME:

Enter the name of the employee.

JOB TITLE:

Enter the job title of the individual employee.

GROSS PAY:

Enter the actual gross pay for the individual employee.

GROSS BENEFITS:

Enter the amount of employer paid benefits specific to the individual employee. This amount is transferred from the payroll records for the period reported. Do not use an aggregate percentage.

PROGRAM HOURS:

Transfer the program hours exactly as it is reported on the employee timesheets.

NON PROGRAM HOURS:

Enter all other hours not related to the program.

TOTAL HOURS WORKED:

Formula driven calculation of total program and non program related hours.

BENEFIT HOURS:

Enter all employer paid time off hours used by the employee for the reported period. Benefit hours include vacation, annual leave, sick leave, holidays, court leave, military leave or any other leave paid for by the employer. Do not include non-compensated hours such as accrued hours.

TOTAL PAID HOURS:

Formula driven calculation of total hours worked and benefit hours.

PERCENTAGE (%) OF PROGRAM HOURS:

Formula driven calculation of percentage of time worked that is reimbursable by the program for the period reported.

PROGRAM PAY:

Formula driven calculation of the total reimbursable salaries by the program for the reported period.

PROGRAM BENEFITS:

Formula driven calculation of the total program reimbursable employer paid benefits and paid benefit hours for the reported period.

TOTAL PROGRAM SALARIES AND BENEFITS:

Formula driven calculation of the total salaries and benefits reimbursable by the program for the reported

TOTAL NON-PROGRAM SALARIES AND BENEFITS:

Formula driven calculation of total non-program salaries and benefits.

AUTHORIZED OFFICIAL:

Enter an authorized official name and title. The authorized official must approve and sign the payroll summary sheet.

AOC Grant Program Timesheet Instructions

Any employee whose time is charged to a grant program of the AOC shall complete the mandatory grant timesheet. The AOC Grant Program timesheets are designed to list 100% of hours worked, otherwise called positive pay reporting. Federal regulations require that all hours worked by an employee must be accounted for, regardless of whether or not it is reimbursable by the grant. This listing includes those hours worked on multiple programs, as well as total hours for employer paid time off (PTO). Employer paid time off includes, but is not limited to, holidays, vacation, sick leave, jury duty, etc.

When completing the Time Sheet, list the following:

Employee Name: Enter the name of the employee submitting the timesheet.

Pay Period: Enter the pay period starting and ending dates. The timesheet should be completed according to the court's pay periods. If the employee is listing two pay periods on one timesheet, list the starting date of the first pay period and the ending date of the second. For example: A court pays their employees on a bi-weekly basis. The first pay period runs from April 30 through May 13 and the second pay period runs from May 14 through May 27. The pay period starting date would be listed as April 30 and the pay period ending date would be listed as May 27. This timesheet would be included in the billing for May.

Date (Column A): Enter the dates according to the pay period starting and ending dates as explained above.

Program Name (Column B thru H): Enter the names of all grant programs that the employee worked on during the pay period in the columns labeled C through H. It is possible for an employee to work on more than one program in an 8 hour period. The hours would be listed according to the time spent on each program. For example: an employee worked in the morning, from 8:00 to 12:00 on Title IV-D support matters, and from 1:00 to 5:00 on Self Help matters, such as domestic violence, custody and visitation and small claims. The employee would list 4 hours in the column labeled Title IV-D Support Hours, and 4 hours in the column labeled TCTF/TCIF Self Help Hours.

Other Hours (Column I): Enter all hours not associated with any grant or MOU programs, such as hours spent on general administrative duties.

Total PTO Used (Column K): Enter any employer paid time off in this column. Employer paid time off includes all employer paid time off, such as holidays, vacation, annual leave, sick leave, jury duty, maternity leave or military leave.

Total Hours Including Paid Time Off (Column L): The timesheet is designed to calculate the total hours worked and PTO used for each day.

Total Hours: The timesheet is designed to calculate the total hours worked by program and to tally the total hours and paid time off for the pay period(s) listed.

Certification: The timesheet includes the following required certification: “I certify under penalty of perjury that this timesheet accurately represents actual time worked.” This certification may not be removed or modified.

Employee Signature and Date: The employee must sign and date the timesheet in order for it to be included in the grant claim.

Supervisor Signature and Date: The supervisor must sign and date the timesheet to approve the time and allow it to be included in the grant claim.

Retention: Original timesheets must be kept on file at the court for the period of time indicated in the contract or MOU of each program listed. The AOC may request the court to submit copies of timesheets for internal review or for review by state or federal auditors.

AB 1058 Child Support Commissioner and Family Law Facilitator Program Contractor Activity Log Instructions

Any contractor whose time is charged to the AB 1058 Child Support Commissioner and Family Law Facilitator Program (AB 1058) must complete the mandatory program Contractor Activity Log. All hours charged to the grant must be accounted for. It is common to work on AB 1058 matters as well as those of other programs, such as Self Help.

AB 1058 Contractor Activity Logs are designed to list 100% of hours worked, including those worked on multiple programs, as contracted by the court.

When completing the *Contractor Activity Log* list the following:

Court Name: Enter the name of the county where the court is located.

Fiscal Year: Enter the State fiscal year. The State fiscal year runs from July 1 to June 30.

Contractor Agency Name: Enter the agency name of the contractor submitting the activity log. Leave blank or enter "n/a" if there is no agency.

Name of Person Performing Work: Enter the name of the person performing the work.

Billing Period: Enter the billing period covered by the activity log. The time included should fall within the month being claimed, or before. No time can be charged to the grant in advance of the work being performed.

Date: Enter the dates according to the billing period starting and ending dates as explained above.

Total Hours Worked-All Programs: The activity log is designed to calculate the total of all hours worked on all programs. This should total 8 hours, unless a contractor is scheduled to work other than an 8 hour shift. If a contractor is completing the timesheet manually, this column must be manually totaled and that total entered.

Total Hours: The activity log is designed to calculate the total hours worked by program.

Certification: The activity log includes the following required certification: "I certify under penalty of perjury that this activity log accurately represents actual time worked." This certification may not be removed or modified.

Contractor Signature and Date: The contractor must sign and date the activity log in order for it to be included in the grant claim.

Retention: Original activity logs must be kept on file at the court for the period of time indicated in the contract or MOU for each program charged. Copies of the activity logs will be submitted with the grant claims in accordance with the reporting requirements of each contract or MOU.

Superior Court, County of _____

100% Reimbursable Expenditures

Category	Vendor Name	Description	Invoice #	Check/Warrant #	Date Paid	Amount
ex: Contracted Facilitator	Jon Hanks	Services for 7/1 -7/30	123456	00001-151546	8/1/09	2,500.00
ex: Interpreter	Mel Sims	Half day services for 7/29	12222	00001-151550	8/2/09	150.00
ex: Training	Tracy Haggerty	CSDA Reg. Fee 7/15-7/18	71809	00001-151551	7/1/09	175.00

Sub-Total **\$ 2,825.00****Partially Reimbursable Expenditures**

Category	Vendor Name	Description	Invoice #	Check/Warrant #	Date Paid	Amount
ex: Office Supplies	Corporate Express	Office Supplies	15465	00001-151547	8/1/09	100.00
ex: Rent	Greenhaven Leasing Co.	July Rent	15466	00001-151548	8/1/09	2,000.00
ex: Perimeter Security	County Sheriff's Dept.	July Shared Perimeter Security Costs	15477	00001-151549	8/1/09	

Sub-Total **2,100.00**Reimbursable Operating % 54.60% \$ **1,146.60****Total Operating Expenditures** **\$ 3,971.60**

** Total billable amount = total of 100% Reimbursable Expenditures + Adjusted total of partially Reimbursable Expenditures

TAB G

Court Clerks' Training: Fundamentals/Advanced/ Roundtable/UIFSA

**Mr. Barry J. Brooks, Ms. Janet Davis,
Ms. Karen Houle, Ms. Sheri Ulloa,
and Mr. Michael L. Wright
(Assisted by Ms. Kathryn Whitney)**

TAB G

Court Clerks' Roundtable

Ms. Janet Davis, Ms. Karen Houle,
Ms. Sheri Ulloa, and Mr. Michael L. Wright
(Assisted by Ms. Kathryn Whitney)

MATERIALS TO BE DISTRIBUTED

TAB G

Court Clerks' Training: UIFSA

Mr. Barry J. Brooks

Interjurisdictional Happenings

Interstate

- UIFSA 2008
 - status
 - international modifications

International

- Foreign Reciprocating Countries:

Australia	El Salvador
Canada	Finland
Alberta	Hungary
British Columbia	Ireland
Manitoba	Israel
New Brunswick	Netherlands
Newfoundland/Labrador	Norway
Northwest Territories	Poland
Nova Scotia	Portugal
Nunavut	Slovak Republic
Ontario	Switzerland
Saskatchewan	United Kingdom of
Yukon	Great Britain and Ireland
Czech Republic	

Hague Maintenance Convention

Signatures: Burkina Faso, Norway, Ukraine, US

Hague Service Convention issues

OCSE Regulations

- effective 1/3/2011 -75 Fed Reg 38612 (July 2, 2010)

Final OCSE Child Support Rules

75 FR 38612-01, 2010 WL 2628006

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Child Support Enforcement Program; Intergovernmental Child Support
Friday, July 2, 2010

Effective January 3, 2010

§ 303.7 Provision of services in intergovernmental IV-D cases.

(a) General responsibilities. A State IV-D agency must:

(4) Use federally-approved forms in intergovernmental IV-D cases, unless a country has provided alternative forms as part of its chapter in A Caseworker's Guide to Processing Cases with Foreign Reciprocating Countries. When using a paper version, this requirement is met by providing the number of complete sets of required documents needed by the responding agency, if one is not sufficient under the responding agency's law;

(8) Cooperate with requests for the following limited services: Quick locate, service of process, assistance with discovery, assistance with genetic testing, teleconferenced hearings, administrative reviews, high-volume automated administrative enforcement in interstate cases under section 466(a)(14) of the Act, and copies of court orders and payment records. Requests for other limited services may be honored at the State's option.

(c) Initiating State IV-D agency responsibilities. The initiating State IV-D agency must:

(7) Notify the responding agency at least annually, and upon request in an individual case, of interest charges, if any, owed on overdue support under an initiating State order being enforced in the responding jurisdiction;

(e) Payment and recovery of costs in intergovernmental IV-D cases.

(1) The responding IV-D agency must pay the costs it incurs in processing intergovernmental IV-D cases, including the costs of genetic testing. If paternity is established, the responding agency, at its election, may seek a judgment for the costs of testing from the alleged father who denied paternity.

(2) Each State IV-D agency may recover its costs of providing services in intergovernmental non-IV-A cases in accordance with § 302.33(d) of this chapter, except that a IV-D agency may not recover costs from an FRC or from a foreign obligee in that FRC, when providing services under sections 454(32) and 459A of the Act.

TAB G

Court Clerks' Training – Fundamentals

Ms. Karen Houle and Mr. Michael L. Wright
(Assisted by Ms. Kathryn Whitney)

MATERIALS TO BE DISTRIBUTED

TAB G

Court Clerks' Training – Advanced

Ms. Janet Davis, Ms. Sheri Ulloa, and
Mr. Michael L. Wright

MATERIALS TO BE DISTRIBUTED